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Ontario Statutes

STATUTES

OF THE

PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Sixth Year of the Reign of His Majesty
KING GEORGE V,

Being the Second Session of the Fourteenth
Legislature of Ontario,

1916

BEGUN AND HOLDEN AT TORONTO ON THE TWENTY-NINTH DAY OF FEBRUARY IN THE
YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND SIXTEEN



139176
1877/16

HIS HONOUR
SIR JOHN STRATHEARN HENDRIE, K.C.M.G., C.V.O.
LIEUTENANT-GOVERNOR.

TORONTO:
PRINTED AND PUBLISHED BY A. T. WILGRESS
Printer to the King's Most Excellent Majesty,
1916



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6 GEORGE V.

CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1916, and for the Public Service of the financial year ending the 31st day of October, 1917.

Assented to 27th April, 1916.

MOST GRACIOUS SOVEREIGN:

WHEREAS it appears by messages from His Honour ^{Preamble.}

Sir John Strathearn Hendrie, K.C.M.G., C.V.O., a Colonel in the Militia of Canada, Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1916, and for the financial year ending the 31st day of October, 1917, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:—

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole five million eight hundred and eighty-nine thousand one hundred and ten dollars and seventeen cents, towards defraying the several charges and expenses of the public service of this Province not otherwise provided for, from the first day of November, 1915, to the thirty-first day of October, 1916, as set forth in Schedule "A" to this Act. \$5,889,110.17
granted for
year ending
31st October,
1916.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole nine million six hundred and thirty-six thousand seven hundred and forty-one dollars and forty-two cents towards defraying the several charges and ex- \$9,636,741.42
granted for
fiscal year
1916-17.
penses

penses of the public service of this Province, not otherwise provided for, from the first day of November, 1916, to the thirty-first day of October, 1917, as set forth in Schedule "B" to this Act.

Accounts to
be laid
before
Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1915-1916 and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1916-1917 and of all expenditures under Schedule "B" of this Act, shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for
1915-1916
unexpended.

4. Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1916, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations for
1916-1917
unexpended,
to lapse.

5. Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1917, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting
for expenditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and sixteen, and the purposes for which they are granted:—

CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:—

Attorney-General's Department	\$6,376 60	
Education Department	2,655 28	
Lands, Forests and Mines Department	13,182 05	
Public Works Department ...	11,661 46	
Highways Department	34,264 42	
Game and Fisheries Department	3,384 87	
Treasury Department	16,908 89	
Audit Office	5,700 00	
Provincial Secretary's Department	7,581 97	
Department of Agriculture ...	697 48	
Stationary Engineers	3 25	
Miscellaneous	4,116 18	
	<hr/>	\$106,532 45

LEGISLATION.

To defray expenses of Legislation	\$9,709 04
---	------------

ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice	78,854 62
---	-----------

EDUCATION.

To defray expenses of:—

Public and Separate Schools Education	\$47,395 42
Normal and Model Schools, Toronto	4,129 53
Normal and Model Schools, Ottawa	4,477 35
Normal School, London	2,914 73
Normal School, Hamilton	5,339 90
Normal School, Stratford	4,462 08

Normal

Normal School, North Bay ..	2,181 00	
High Schools and Collegiate Institutes	1,719 97	
Departmental Library and Museum	280 50	
Public Libraries, Art Schools, Historical, Literary and Scientific Societies	950 00	
Technical Education	26,349 44	
Provincial University, Mining Schools, etc.	58,360 57	
The Ontario School for the Deaf, Belleville	9,102 97	
The Ontario School for the Blind, Brantford	2,165 05	
Miscellaneous	137,522 09	
		<hr/> \$307,350 60

PUBLIC INSTITUTIONS, MAINTENANCE.

To defray expenses of:—

Hospital for Insane, Brock- ville	\$2,150 00	
Hospital for Insane, Hamilton	4,555 88	
Hospital for Insane, Kingston	300 00	
Hospital for Insane, London..	2,000 00	
Hospital for Insane, Mimico..	100 00	
Hospital for Feeble-Minded, Orillia	7,850 00	
Hospital for the Insane, Pene- tanguishene	600 00	
Hospital for Insane, Toronto..	1,912 50	
Reception Hospital for Insane, Toronto	500 00	
Hospital for Epileptics, Wood- stock	1,000 00	
Ontario Reformatory, Guelph.	624 59	
Ontario Reformatory Industries, Guelph	30,156 05	
Andrew Mercer Reformatory, Toronto	3,100 00	
Miscellaneous	5,293 04	
		<hr/> \$60,142 06

AGRICULTURE.

To defray expenses of a grant in aid of Agri- culture	\$37,262 02
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COLONIZATION

COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Immigration	5,151 45
--	----------

HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities	\$61,256 51
---	-------------

MAINTENANCE AND REPAIRS OF GOVERNMENT AND
DEPARTMENTAL BUILDINGS.

To defray expenses of:—

Government House	\$19,348 22	
Parliament and Departmental Buildings	11,383 67	
Osgoode Hall	219 88	
	<hr/>	\$30,951 77

PUBLIC BUILDINGS.

To defray expenses of:—

Government House	\$72,918 83
Parliament Buildings	31,035 00
Osgoode Hall	1,699 64

Public Institutions:—

Hospital for Insane, Brockville	21,841 29
Hospital for Insane, Cobourg	3,300 00
Hospital for Insane, Hamilton	17,481 90
Hospital for Insane, Kingston	25,039 72
Hospital for Insane, London..	23,084 95
Hospital for Insane, Mimico..	14,000 00

Hospital for Feeble-Minded, Orillia	55,116 76
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Hospital for Insane, Penetanguishene	14,561 00
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Hospital for Insane, Toronto..	160,181 84
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Hospital for Epileptics, Woodstock	9,273 71
--	----------

Ontario Reformatory, Guelph.	26,828 82
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Andrew Mercer Reformatory, Toronto	2,750 00
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Educational:—

Normal and Model Schools, Toronto	2,179 30
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Normal and Model Schools, Ottawa	51,874 43
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Normal School, London	663 23
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Normal School, Hamilton	805 50
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Normal School, Peterborough	931 87
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Normal School, Stratford....	1,900 00
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Training

Training School, Sandwich...	368 33
The Ontario School for the Deaf, Belleville	4,973 57
The Ontario School for the Blind, Brantford	8,850 00
Ontario Agricultural College..	9,976 20
Ontario Veterinary College ..	135 08
Horticultural Experimental Station, Jordan Harbor.....	629 09
Immigration Office, Toronto ..	350 00

Districts:—

Parry Sound	867 45
Algoma	50,262 45
Muskoka	1,150 00
Thunder Bay	42,521 68
Rainy River	927 53
Manitoulin	250 00
Sudbury	62,531 48
Kenora	564 99
Temiskaming	2,794 72
Miscellaneous	7,000 00

Total Public Buildings \$731,620 36

PUBLIC WORKS.

To defray expenses of Public Works..... \$538,536 07

COLONIZATION AND MINING ROADS.

To defray expenses of Construction and
Repairs \$224,125 99

GAME AND FISHERIES.

To defray expenses of Game and Fisheries.. \$16,132 35

ATTORNEY-GENERAL'S DEPARTMENT—MISCELLANEOUS

To defray expenses of Attorney-General's De-
partment, Miscellaneous \$2,933,808 11

TREASURY DEPARTMENT—MISCELLANEOUS

To defray expenses of Treasury Department,
Miscellaneous \$43,503 41

PROVINCIAL SECRETARY'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Provincial Secretary's
Department, Miscellaneous \$91,180 20

CHARGES ON CROWN LANDS.

To defray expenses on account of Crown Lands	\$78,723 92
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REFUNDS.

To defray expenses on account of Refunds..	\$2,270 96
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MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure	\$531,998 28
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Total Estimate for Expenditure of 1915-1916	\$5,889,110 17
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SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and seventeen, and the purposes for which they are granted:—

CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:—

Lieutenant-Governor's Office ..	\$5,450 00
Department of the Prime Minister and President of the Council	15,450 00
Attorney-General's Department	77,650 00
Education Department	41,925 00
Lands, Forests and Mines Department	174,620 00
Public Works Department....	137,555 00
Department of Public Highways	37,425 00
Game and Fisheries Department	25,400 00
Treasury Department	69,014 00
Audit Office	29,350 00
Provincial Secretary's Department	202,850 00
Department of Agriculture ...	70,525 00
Miscellaneous	22,778 00
	<hr/>
	\$909,992 00

LEGISLATION

LEGISLATION.

To defray the expenses of Legislation \$320,900 00

ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of
Justice \$841,711 66

EDUCATION.

To defray expenses of:—
Public and Separate School
Education \$1,336,100 00
Normal and Model Schools,
Toronto 80,752 00
Normal and Model Schools,
Ottawa 55,710 00
Normal School, London 31,536 25
Normal School, Hamilton 29,627 50
Normal School, Peterborough . 25,075 00
Normal School, Stratford 27,631 25
Normal School, North Bay .. 37,430 00
High Schools and Collegiate
Institutes 185,100 00
Departmental Library and
Museum 22,528 00
Public Libraries, Art Schools,
Historical, Literary and
Scientific Societies 78,325 00
Technical Education 138,600 00
Superannuated Public and
High School Teachers 60,650 00
Provincial University and Min-
ing Schools 42,600 00
The Ontario School for the
Deaf, Belleville 76,884 00
The Ontario School for the
Blind, Brantford 54,684 00
Miscellaneous 10,200 00

\$2,293,433 00

PUBLIC INSTITUTIONS MAINTENANCE.

To defray expenses of:—
Hospital for Insane, Brockville \$161,852 00
“ Cobourg.. 31,760 00
“ Hamilton 222,854 00
“ Kingston. 138,860 00
“ London.. 190,950 00
“ Mimico... 132,135 00

Hospital

Hospital for Feeble-Minded, Orillia	121,522 00
Hospital for Insane, Pene- tanguishene	70,186 00
Hospital for Insane, Toronto Reception Hospital for the Insane, Toronto	186,522 00
18,500 00	
Hospital for Epileptics, Wood- stock	50,016 00
Ontario Reformatory	100,740 00
“ Industries	132,400 00
Mercer Reformatory, Toronto	40,640 00
Miscellaneous	34,220 00
	<hr/> \$1,633,157 00

AGRICULTURE.

To defray expenses of a grant in aid of Agri- culture	\$801,991 00
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COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Immi- gration	\$96,300 00
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HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hos- pitals and Charities	\$527,254 76
--	--------------

MAINTENANCE AND REPAIRS OF GOVERNMENT AND
DEPARTMENTAL BUILDINGS.

To defray expenses of:—

Government House	\$22,100 00
Parliament and Departmental Buildings	164,645 00
Osgoode Hall	20,467 00
	<hr/> \$207,212 00

PUBLIC BUILDINGS.

To defray expenses of:—

Parliament Buildings	\$300 00
Osgoode Hall	21,475 00
Public Institutions	186,200 00
Educational	10,600 00
Agriculture	3,000 00
Districts	93,900 00
Miscellaneous	110,000 00
	<hr/> \$425,475 00

PUBLIC

PUBLIC WORKS.

To defray expenses of Public Works \$80,300 00

COLONIZATION AND MINING ROADS.

To defray expenses of Construction and Re-
pairs \$87,000 00

DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public
Highways \$55,770 00

GAME AND FISHERIES.

To defray expenses of Game and Fisheries.. \$145,300 00

ATTORNEY-GENERAL'S DEPARTMENT, MISCELLANEOUS

To defray expenses of Attorney-General's De-
partment, Miscellaneous \$175,200 00

TREASURY DEPARTMENT, MISCELLANEOUS.

To defray expenses of Treasury Department,
Miscellaneous \$53,450 00

PROVINCIAL SECRETARY'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Provincial Secretary's
Department, Miscellaneous \$218,445 00

CHARGES ON CROWN LANDS.

To defray expenses on account of Crown Lands \$623,750 00

REFUNDS.

To defray expenses of:—

Education	\$1,500 00	
Lands, Forests and Mines ...	25,000 00	
Succession Duty	36,000 00	
Miscellaneous	30,000 00	
		<hr/>
		\$92,500 00

MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure \$47,600 00

Total Estimates for Expenditure of 1916-

1917 \$9,636,741 42

CHAPTER

CHAPTER 2.

An Act for raising money on the Credit of the Consolidated Revenue Fund of Ontario.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding Loan for \$4,000,000 authorized. Four million dollars (\$4,000,000) for all or any of the purposes following, that is to say: for the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, and for the carrying on of the public works authorized by the Legislature.

2. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years at such rate as may Rate to be fixed by the Lieutenant-Governor. be fixed by the Lieutenant-Governor in Council, and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

3. The Lieutenant-Governor in Council may direct that Securities may be exempted from certain Provincial taxes. the securities issued for the loan authorized by this Act shall be free from any or all Provincial taxes, succession duties and impositions whatsoever.

4. The Lieutenant-Governor in Council may provide for Sinking fund. a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum on the amount of such debentures or stock as specified in subsection 2 of section 4 of *The Provincial Loans Act*. Rev. Stat., c. 21.

CHAPTER 3.

An Act respecting the Central Provincial Committee of The Military Hospitals Commission, known as "The Soldiers' Aid Commission of Ontario."

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Soldiers' Aid Commission Act*.

Order-in-council appointing Central Provincial Committee confirmed.

2. Subject to the provisions hereinafter contained, the Order-in-Council approved by His Honour the Lieutenant-Governor on the 10th day of November, A.D. 1915, providing for the issue of a Commission, appointing William David McPherson, King's Counsel; John B. Laidlaw, Robert J. Christie, William Banks, the Honourable George Gordon, Senator; Kenneth W. McKay, William F. Nickle, King's Counsel; George Lynch Staunton, King's Counsel; Ernest G. Henderson and W. L. Best, Commissioners to constitute a Central Provincial Committee and a branch sub-committee of The Military Hospitals Commission, which Order-in-Council is set out as Schedule "A" to this Act, is confirmed and declared to be and to have been legal and valid to all intents and purposes.

Commissioners to be known as Soldiers' Aid Commission.

3. The Commissioners so appointed to constitute a Central Provincial Committee and a branch sub-committee of The Military Hospitals Commission, may be known as The Soldiers' Aid Commission, hereinafter called The Commission.

Powers of commissioners.

4. Notwithstanding anything in the said Order-in-Council contained, the Commission may exercise the like powers with respect to, and may grant the same assistance to, members of His Majesty's Imperial Forces or the forces of any of the Allies who, as Reservists, and while resident in Can-

ada,

ada, were called upon to serve in the Imperial Forces or the forces of any of the Allies, or who left Canada for the purpose of enlisting and did enlist in the Imperial Forces or the forces of any of the Allies to serve therein during the war, as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the Order-in-Council hereby confirmed, and the like assistance may be granted to any person who, after enlistment in Canada for service in the war, and before going overseas, has been discharged on account of wounds, injury or disease incurred or contracted while on active service.

5. The Lieutenant-Governor in Council may add such persons from time to time as Commissioners as he may deem advisable, or may appoint a Commissioner in place of any Commissioner dying or retiring or becoming incapable to act.

Adding members to commission.

6. The Commission may establish or arrange for the establishment of branches of the Commission in the various municipalities of the Province and appoint such officers, clerks, servants and agents as may be deemed necessary and expedient for carrying out the work of the Commission and their salaries, wages, fees, or other remuneration, and all other costs, charges and expenses incurred by the Commission, shall be payable out of such moneys as may be appropriated from time to time by the Legislature for the purposes of the Commission.

Branches and appointment of office staff of commission.

7. Notwithstanding anything in the said Order-in-Council contained, the Commission shall have and may exercise the like powers and perform the like services with respect to any of the classes of persons mentioned in section 4 returning after the war, as it may do with respect to those returning during the war.

Aid to be extended to soldiers returning after the war.

8. The Commissioners shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements as part of the expenses of the Commission, and the receiving of such expenses and disbursements by any member of the Commission shall not render him ineligible as a member of the Assembly, or disqualify or render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding.

Services to be honorary.

Rev. Stat. c. 11.

9. The Commission acting as a Central Provincial Committee and a branch sub-committee of The Military Hospitals Commission, may enter into arrangements with the Department of Education of Ontario, or with any educational authority

Arrangements for technical instruction of incapacitated soldiers

authority, or institution for providing instruction of any kind, including technical and industrial instruction for those of the classes of persons mentioned in section 4, who, as a result of wounds, disease, or other injury sustained during the period of enlistment, are unable to pursue their former calling or occupation and for such other as the Commission may deem advisable.

Further powers and duties may be conferred and imposed.

10. The Lieutenant-Governor in Council may confer such further powers and impose such further duties upon the Commission with respect to soldiers returning to Ontario during or after the war with a view to securing their well-being in such manner as may be deemed advisable.

SCHEDULE "A."

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor the 10th day of November, A.D. 1915.

Upon the recommendation of the Honourable the Provincial Secretary, the Committee of Council advise that a Commission be issued appointing William David McPherson, K.C., M.L.A., and John B. Laidlaw, Robert J. Christie, and William Banks, Esquires, Toronto; the Honourable George Gordon, North Bay; Senator Kenneth W. McKay, St. Thomas, County Clerk; William F. Nickle, K.C., M.P., Kingston; George Lynch Staunton, K.C., Hamilton; Ernest G. Henderson, Windsor, Esquire; and W. L. Best, Ottawa, Esquire, Commissioners to constitute a Central Provincial Committee and a Branch Sub-Committee of The Military Hospitals Commission to take care of and to find employment for members of the Canadian Expeditionary Force who return to Canada during the period of the War, and to assist, advise and co-operate with the said The Military Hospitals Commission, and with all Provincial or local committees or organizations to attain the aforesaid objects, and to do all things which may be incidental and ancillary to the foregoing; the said William David McPherson to be *ex-officio* a Member of the said The Military Hospitals Commission, and to be Chairman of the said Commission, and Charles Norris Cochrane, Toronto, Esquire, to be Secretary thereof.

Certified.

(Sgd.) J. LONSDALE CAPREOL,
Clerk, Executive Council.

CHAPTER 4.

An Act for the creation of a Provincial Committee to secure the organization of the resources of Ontario for efficient co-operation with the Federal authorities in the prosecution of the war, and the maintenance of the Agricultural and Industrial production of the Province.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Organization of Resources Act*. Short title.

2. Sir John Strathearn Hendrie, K.C.M.G., C.V.O., Formation of Provincial Committee. Colonel in the Militia of Canada, etc., etc., Lieutenant-Governor of the Province of Ontario, the Honourable William Howard Hearst, the Honourable James Stoddart Duff, the Honourable Thomas William McGarry, the Honourable George Howard Ferguson, Newton Wesley Rowell, Charles Martin Bowman, George Alexander Gillespie, Severin Ducharme, William David McPherson, Forbes Godfrey, shall be a Provincial Committee to assist in securing the organization of the resources of Ontario in the prosecution of the war and the maintenance of agricultural and industrial production in Ontario to that end, and the committee shall be known as "The Organization of Resources Committee," hereinafter called "The Committee." Objects of Committee.

3. The Committee shall co-operate, so far as possible, with existing organizations and associations, civil and military, in furthering the objects of the Committee, and particularly in maintaining and stimulating agricultural and necessary industrial production, securing a sufficient supply of labour for the agricultural interests and industrial operations, assisting in the work of recruiting men for the Canadian Expeditionary Forces with the least possible disturbance to agriculture or industry, and promoting thrift and economy among the people. Duties of Committee.

Additional
members
filling
vacancies.

4. The Lieutenant-Governor in Council may add such persons from time to time as members of the Committee as he may deem advisable, or may appoint a member of the Committee in the place of any member dying or retiring or becoming incapable of acting.

Appoint-
ment of
officers,
etc., of
Committee.

5. The Lieutenant-Governor in Council may appoint such officers, clerks, servants and agents as may be deemed necessary for the carrying out of the work of the Committee, and may fix their salaries, wages, fees or other remuneration.

Expenses
of members
of Com-
mittee.

6. The members of the Committee shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements, and the receiving of such expenses and disbursements by any member of the Committee shall not render him ineligible as a member of the Assembly or disqualify or render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding.

Rev. Stat.
c. 11.

Carrying
out recom-
mendations
of Com-
mittee.

7. The Committee may make such representations and recommendations to the Lieutenant-Governor in Council as it may deem advisable for carrying out the objects of this Act, and the Lieutenant-Governor in Council may approve such recommendations and direct such action to be taken thereon by the Committee or otherwise as he may deem meet.

Conferring
other
powers and
duties on
Committee.

8. The Lieutenant-Governor in Council may confer such further powers and impose such further duties upon the Committee in connection with the better organization of our resources as may be deemed advisable.

CHAPTER 5.

An Act to amend The Ontario Voters' Lists Act

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Form 11 of *The Ontario Voters' Lists Act* is amended Rev. Stat. C. 6, Form 11, amended. by striking out the word "inserted" in the seventh line thereof and inserting in lieu thereof the words "omitted (or inserted) as the case may be."

CHAPTER 6.

An Act to amend The Ontario Election Laws.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Ontario Election Law Amendment Act, 1916.*

Rev. Stat.,
c. 195, c. 8,
c. 6, c. 7.

Absence of
voter from
residence
on military
service.

2. For the purposes of *The Assessment Act, The Ontario Election Act, The Voters' Lists Act* and *The Manhood Suffrage Registration Act*, absence on service as a member of the active militia shall be deemed to include absence as a member on active service with the naval or military forces of the British Empire or Great Britain's Allies during the present war.

Rev. Stat.,
c. 8,
amended.

Removal
from one
electoral
district in
a city to
another.

3.—(1) *The Ontario Election Act* is amended by adding the following as section 20a:—

20a. In a city which is divided into two or more electoral districts or parts of which are situate in two or more electoral districts where a person whose name is entered on the last revised voters' list or the list of manhood suffrage voters proper to be used at an election in one electoral district moves his place of residence to a part of the city included in another electoral district, and an election takes place after he has so moved his place of residence he shall be entitled to vote at the polling place in the electoral district on the list of which he is entered if he is not entitled to be or could not have been entered on the list of manhood suffrage voters proper to be used at an election in the electoral district to which he has so moved his place of residence.

Rev. Stat.,
c. 8, sched.
"A," form 17
amended.

(2) Form 17 in Schedule "A" to *The Ontario Election Act* is further amended by adding an alternative paragraph 4 as follows:—

Or

Or in the case of a person voting under Section 20a in lieu of paragraph 4.

(4) That you were on the said day in good faith a resident of and domiciled in this city on the list of which you are entered; Alternative oath as to residence. that you resided in this electoral district continuously from the said day up to the time that you took up your residence and domicile in a part of this city included in another electoral district and that you are now actually residing and domiciled in such other electoral district and that you are not entitled to be or could not be entered on the list of manhood suffrage voters prepared for the electoral district in which you are now residing and domiciled.

(3) Form 18 in Schedule "A" to *The Ontario Election Act* is amended by adding as an alternative paragraph 4 the following:— Rev. Stat., c. 8, sched. "A," form 18 amended.

Or in the case of a person voting under section 20a.

(4) That you were on the said day and for the three months next preceding the same in good faith a resident of and domiciled in this city, and that you resided in this electoral district for the 30 days next preceding the said day and continuously from the said day up to the time that you took up your residence and domicile in a part of this city included in another electoral district and that you are now actually residing and domiciled in such other electoral district and that you are not entitled to be or could not be entered on the list of manhood suffrage voters prepared for the electoral district in which you are now residing and domiciled. Alternative oath as to residence where voter has removed from one electoral district to another.

CHAPTER 7.

An Act to amend The Succession Duty Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Succession Duty Amendment Act, 1916.*

Rev. Stat. c. 24, s. 12, subs. 1, amended. **2.** Subsection 1 of section 12 of *The Succession Duty Act* is amended by striking out the words:—

“In case the Treasurer is not satisfied with the value of any property as sworn to or with the correctness of any inventory”

Proceedings when treasurer not satisfied with valuation. appearing in lines 1, 2 and 3; and by striking out in the ninth line the words

“and value any property improperly omitted,”

and substituting the following:—

“and determine what property should be included in such inventory and the value of the same.”

Rev. Stat. c. 24, s. 12, amended. **3.** Section 12 of *The Succession Duty Act* is further amended by adding the following subsection:—

Examination of persons having dutiable property in possession. (7) In case the Treasurer is of the opinion that any person or corporation is in possession of any property of a deceased person which is or may be dutiable under this Act, or that any person or corporation is in possession of knowledge or information in reference to the property of any deceased person which is or may be dutiable under this Act, or in case the Treasurer for any

other

other reason deems it advisable to examine any person in or about the enforcement of the provisions of this Act, the surrogate court judge of the county in which the property or any part thereof is supposed to be situated, shall, at the instance of the Treasurer, order such person or any officer of such corporation to attend before him and submit to examination on oath touching the property of such deceased person, or touching any property in his knowledge, which is, or may be, dutiable under this Act, or otherwise, as may seem just, and may direct the persons to be examined to make production upon oath of any books, papers, or other writings or documents, relating to the matters in issue which may be in the possession of such person or of any corporation.

4. Subsection 1 of section 15 of *The Succession Duty Act* is amended by striking out all the words after the word "years" in line 20 and substituting therefor the following:—

Rev. Stat.
c. 24, s. 15,
subs. 1,
amended.

"the balance of the duties shall be payable by the estate or fund out of which the annuity is charged or derived."

Payment of
duty on
annuity.

5. Section 10 of *The Succession Duty Act, 1914*, is repealed and the following substituted therefor:—

4 Geo. V,
c. 10, s. 10,
repealed.

10.—(1) The Treasurer may appoint a Commissioner or Commissioners to:—

Appoint-
ment of
Commis-
sioner to
inquire into
estate.

- (a) ascertain and inquire into what property, if any, is subject to succession duty under the terms of this Act; the fair market value of such property, the amount of duty payable upon such property and the persons liable therefor;
- (b) fix and settle the amount of the debts and other allowances and exemptions and assess the cash value of every annuity, term of lease, term of years, life estate, income or other estate and of every interest in expectancy as provided by this Act;
- (c) make inquiries as to any property transferred *inter vivos* or wrongfully omitted from any inventory filed; and
- (d) generally make inquiry as to any matter or thing arising under this Act in connection with the estate of any deceased persons.

Notice to parties.

- (2) The Commissioner shall direct that notice be given by personal service or otherwise to the executor or such interested parties as he may think proper.

Powers of Commissioner.

- (3) The Commissioner shall have all the powers of a Judge of the Supreme Court of Ontario at the trial of any action and all the powers which may be conferred upon a Commissioner under *The Public Inquiries Act*, and in addition thereto may, either at or previous to the hearing, make such order for the attendance and examination of any person or the officer or officers of any corporation for discovery or otherwise as he may deem expedient and may direct the persons to be examined to make production upon oath of any books, papers or other writings or documents which may be in the possession of such person or of any corporation.

Examination for discovery.

Taking evidence *de bene esse* or by commission.

- (4) Where the Treasurer or any person interested desires to produce for use before the Commissioner the evidence of any person to be taken *de bene esse* or to be taken out of Ontario, an order may be made for the examination of such person or for the issue of a Commission in the like circumstances and with the like effect as a similar order may be made in an action.

Evidence to be taken down.

- (5) The evidence of the witnesses taken before such Commissioner shall be taken down in writing and shall, at the request of either party, be transmitted by the Commissioner to the Central Office at Osgoode Hall.

Appointment of guardian for infant parties.

- (6) A Commissioner may, with the consent of the Official Guardian, appoint for the purposes of this Act, a guardian of any infant who has no guardian.

Costs.

- (7) The costs of proceedings shall be paid as directed by the Commissioner.

Filing report of Commission.

- (8) The report of the Commissioner may be filed in the Central Office of the Supreme Court of Ontario at Osgoode Hall, in the City of Toronto.

Report to become a judgment.

- (9) Upon the report being so filed, it shall become a judgment of the Supreme Court of Ontario, and may be enforced in the same manner and by the like

like processes as if the judgment had been made by a Judge of the Supreme Court at the trial of an action.

- (10) The judgment shall be entered in the same manner as a judgment of the court at the trial. Entry of judgment.
- (11) Either the Treasurer or any person interested may appeal from the said judgment to the Appellate Division of the Supreme Court of Ontario, but there shall be no further or other appeal. Appeal to Appellate Division.
- (12) Rules of Court for the better carrying out of the purposes of this Act and the regulation of practice thereunder, including the practice of any appeal, may be made by any authority to whom is committed the power of making rules of Court; but until such rules are made the practice shall be governed by the rules of the Supreme Court of Ontario. Rules of procedure.

6. Subsection 2 of section 6 of *The Succession Duty Act, 1915*, is repealed. 5 Geo V,
c. 21, s. 6,
subs. 2,
repealed.

CHAPTER 8.

An Act to amend The Corporations Tax Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

4 Geo. V.
c. 11, s. 2,
amended.

1. Subsection 4 of section 4 of *The Corporations Tax Act* as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by striking out clauses *a*, *b* and *c* and inserting in lieu thereof the following clauses:—

Tax on
loan com-
panies.
Permanent
capital.

(a) A company with fixed or permanent paid-up capital, one twenty-fifth of one per cent. on the paid-up capital thereof, and one twenty-fifth of one per cent. of all moneys invested in Ontario by such company, excluding the company's office premises and cash in bank, but in no case less than \$100;

Permanent
and termi-
nating capi-
tal.

(b) A company having terminating or withdrawable capital, as well as fixed or permanent capital, one twenty-fifth of one per cent. on such paid-up terminating or withdrawable capital after the first \$100,000, in addition to the amount payable under clause *a*;

Terminating
capital
only.

(c) A company having terminating or withdrawable capital only, one twenty-fifth of one per cent. of such paid-up terminating or withdrawable capital after the first \$100,000 and one twenty-fifth of one per cent. of all moneys in excess of \$100,000 invested in Ontario by such company; excluding the company's office premises and cash in bank.

(d)

- (d) A company receiving deposits or doing the business of a savings bank, in addition to the amount payable under clauses *a*, *b* and *c* hereof, \$25 on each \$100,000 or part thereof, of deposits up to \$1,000,000; \$15 on each \$100,000, or part thereof, of deposits over \$1,000,000 and not over \$2,000,000; and \$5 on each \$100,000, or part thereof, of deposits over \$2,000,000. Receiving deposits.

2. Subsection 15 of section 4 of *The Corporations Tax Act* as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by striking out all the words after "fee" in the fourth line thereof and inserting in lieu thereof:— 4 Geo. V., c. 11, s. 2, amended.

"of \$1,250 for each day of such meeting and in default of such payment the provincial police may, under instructions from the Treasurer, stop all racing upon such track until the said tax is paid. Provided that the Treasurer may rebate the tax to any company by an amount equal to one per cent. of the sum or sums given yearly by such company in purses or stakes to the owners of horses bred in Canada and to horse owners resident in Canada"; Tax on race-track meetings.

and by adding the following clause thereto:—

- (b) The Lieutenant-Governor in Council may designate an officer of the Treasury Department to inspect such tracks and betting at all race meetings and to perform such other duties in connection therewith as the Lieutenant-Governor in Council may require. Inspection of tracks and betting.

3. Section 7 of *The Corporations Tax Act* is amended by substituting the word "September" for the word "October" in the third and fourth lines thereof and by adding the following at the end of said section:— Rev. Stat. c. 27, s. 7.

"And shall bear interest at the rate of six per cent. per annum from the first day of November thereafter until paid." Interest on arrears of tax.

4. Section 15 of *The Corporations Tax Act* is amended by striking out all the words after the word "borrower" in the fourth line thereof. Rev. Stat. c. 27, s. 15, amended.

Tax on transfer of shares.

CHAPTER 9.

An Act to increase the Supplementary
Revenue of Ontario.*Assented to 27th April, 1916.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- | | |
|--|---|
| Short title. | 1. This Act may be cited as " <i>The Amusements Tax Act.</i> " |
| Interpreta-
tion. | 2. In this Act,— |
| "Owner." | (a) "Owner" of a place of amusement shall mean individual, firm, company or corporation operating a place of amusement in Ontario; |
| "Place
of amuse-
ment." | (b) "Place of amusement" shall mean and include theatre, moving picture hall, amusement hall, concert hall, music hall, circus, race-course, base-ball park, athletic park, amusement park, skating rink, or other place where an exhibition or entertainment is given or game played and an entrance fee is charged or collected through the sale of tickets or otherwise. |
| Tax on
Person
attending
perform-
ance. | 3. Every person attending a performance at a place of amusement shall, upon each admission thereto, pay to His Majesty for the use of Ontario, a tax of one cent, to be collected as herein provided. |
| Collection
of tax. | 4. The said tax shall be collected by the owner of the place of amusement by means of tickets and the Treasurer of Ontario may allow the owner and other persons such commission upon the sale of the tickets as may be fixed by the Lieutenant-Governor in Council. |
| Tickets. | 5. The tickets shall be supplied to the owner of every place of amusement by the Treasurer of Ontario, and shall be in such form as may be prescribed by the regulations. |

6. The owner of a place of amusement shall place at the entrance thereto, a receptacle, of such pattern as may be approved by the Treasurer of Ontario for receiving and destroying the tickets sold under this Act. Receiving and destroying tickets.

7. Every person who, without having previously paid the tax provided for by this Act, enters a place of amusement in Ontario for the purpose of attending a performance, shall incur a penalty of not less than \$10 nor more than \$200. Penalty for evading tax.

8. Every owner of a place of amusement and every employee of an owner of a place of amusement who permits or authorizes, or is a party or privy to, the admission of any person to a place of amusement for the purpose of attending a performance therein without payment of the tax provided for by this Act, shall incur a penalty of not less than \$10 and not more than \$200. Penalty for non-collection.

9. The penalties imposed by this Act shall be recovered in a manner provided by *The Ontario Summary Convictions Act*, and shall be payable to the Treasurer of Ontario. Recovery and application of penalties. Rev. Stat. c. 90.

10. The Lieutenant-Governor in Council may make such regulations as may be deemed expedient for the purpose of carrying into effect the provisions of this Act, and may, as to patrons of any class or classes of places of amusement, increase the tax hereby imposed to an amount not exceeding twenty-five cents on each admission, and may exclude from the operation of the Act any class or classes of amusement. Regulations.

11. This Act shall come into force and take effect on, from and after the fifteenth day of May, 1916. Act to come into force May 15, 1916.

CHAPTER 10.

An Act to amend The Provincial War Tax Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

5 Geo. V,
c. 3, s. 6,
amended.

1. Section 6 of *The Provincial War Tax Act, 1915*, is amended by adding thereto the following subsection:—

Arrears of
tax to bear
interest.

- (3) All sums of money due the Treasurer of Ontario under this Act and remaining unpaid for fifteen days after the 31st of December in each year shall bear interest at the rate of six per cent. per annum.

6 Geo. V,
c. 3, subs.
1 of s. 9,
amended.

2. Subsection 1 of section 9 of *The Provincial War Tax Act, 1915*, is amended by inserting after the word "forthwith" in the second line the words, "and from time to time," and by inserting after the word "may" in the second line the words, "each year."

CHAPTER 11.

An Act to amend The Northern and Northwestern Ontario Development Acts.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern and North-Western Ontario Development Act, 1916.* Short title.

2. The Lieutenant-Governor in Council may from time to time set apart out of the appropriation made by *The Northern and North-Western Ontario Development Act, 1912*, such sums as he may deem requisite for the purpose of making loans and advances to settlers in the northern and north-western districts of Ontario. Fund set apart for loans to settlers. 2 Geo. V, c. 2.

3. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may appoint a Commissioner for the purpose of carrying out the provisions of this Act and any Regulations made hereunder. Appointment of Commissioner.

4. Subject to the Regulations, a loan may be made to any settler by the Commissioner, to an amount not exceeding the sum of \$500, upon such terms and conditions as the Commissioner may think proper. Limit of amount of loan.

5. It shall be sufficient for the purposes of *The Public Lands Act*, *The Registry Act* and *The Land Titles Act* that the Commissioner shall give notice in writing under his hand and seal that there is due to the Crown from any settler any sum on account of a loan made under the authority of this Act. Recording lien under Rev. Stat. cc. 28, 124, 126.

6. The notice shall state the amount of the loan and the terms of re-payment thereof, and the rate of interest thereon, and shall describe the lands to be charged, and may be registered against the lands, in the case of unpatented lands, in the Department of Lands, Forests and Mines; and in the case of patented lands, in the proper registry or land titles office. Contents and effect of notice.

office, and upon registration the notice shall constitute a first lien and charge upon the unpatented lands described therein, subject only to any payments which may be due to the Crown on account of the purchase money of the land, or for timber dues, or otherwise, whether the person from whom the amount is due is the owner of the land or is the purchaser, or locatee, or merely an occupant thereof, and in the case of patented land shall constitute a lien or charge upon such land, having priority, subject to section 7, according to the general law of Ontario.

Tax sale
subject
to lien.

7. In case any land charged as aforesaid is sold for taxes, the title of the purchaser at the sale shall be subject to such lien and charge.

Certificate
of dis-
charge.

8. Upon payment or other satisfaction of any lien or charge registered under this Act, the Commissioner may give a certificate in writing under his hand and seal that any sum due to the Crown has been paid or accounted for, and that the lands describing them are discharged from any lien or charge created under this Act.

Register-
ing certifi-
cate of
discharge.

9. The certificate may be registered in the Department of Lands, Forests and Mines, or in the proper registry or land titles office as the case may be, and upon registration thereof the lien or charge created under this Act shall be discharged, and the lands described in the certificate shall be free therefrom.

Registra-
tion with-
out charge.

10. The notice of lien and the certificate of discharge shall be entered and registered by the registrar or master of titles without charge.

Regula-
tions.

11. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may from time to time make regulations

- (a) Prescribing the form and manner of making application for a loan, and the manner in which each application shall be dealt with;
- (b) Providing for the inspection and valuation of land upon which the loan is sought to be obtained;
- (c) Respecting the inquiries to be made, and the information to be furnished with respect to the applicant before the making of the loan;
- (d) As to the rate of interest, time, place, and manner of re-payment of the loan;
- (e) Designating the persons who shall act in various localities under the direction of the Commissioner for the purpose of carrying out the provisions of this Act and the Regulations;

(f)

- (f) Fixing the amount of the security to be given by the Commissioner or by any other person employed under this Act;
- (g) Prescribing the forms of notices, certificates, returns and other documents to be made or given under this Act;
- (h) Generally for the better carrying out of the provisions of this Act.

12.—(1) The Lieutenant-Governor in Council may, from time to time, direct that advances be made to the Commissioner out of the funds so set apart under the authority of *The Northern and North-Western Ontario Development Act, 1912*, upon the requisition of the Commissioner, countersigned by the Minister, and all such advances shall be duly accounted for in the manner provided by *The Audit Act*.

Advances
to Com-
missioners.

(2) The Commissioner and all other officers employed in carrying out the provisions of this Act shall give such security for the due accounting for all moneys coming to their hands as may be fixed by the Lieutenant-Governor in Council.

Security by
Commis-
sioner and
officers.

13. A report of all loans made by him during the preceding fiscal year, and all the amounts received in repayment of any such loans, shall be made by the Commissioner to the Lieutenant-Governor on or before the first day of January in each year, and shall be laid before the Assembly at the next Session of the Legislature held thereafter.

Annual
report
on loans.

14. This Act shall be read with and as part of *The Northern and North-Western Ontario Development Act, 1912*, and *The Northern and North-Western Ontario Development Act, 1915*.

Act read
with
2 Geo. V,
c. 2, and
5 Geo. V,
c. 6.

15. Section 5 of *The Northern and Northwestern Ontario Development Act, 1915*, shall have effect as if the same had been enacted on the 16th day of April, 1912.

5 Geo. V,
c. 6, s. 5,
to be
retroactive.

16. To remove doubts it is declared that every notice stating that there is due to the Crown from any person, being a settler, any sum of money on account of seed grain or other seed supplied to such person, signed by Arthur E. D. Bruce, the acting deputy of the member of the Executive Council charged with the administration of *The Northern and North-western Ontario Development Acts*, and heretofore or hereafter registered in a land titles office, or in a registry office or in the Department of Lands, Forests and Mines, shall be as valid and of the same force and effect as if such notice had been given by the said member of the Executive Council under his hand and seal of office.

Certain
notices
under
5 Geo. V,
c. 6, vali-
dated for
registration
purposes.

CHAPTER 12.

An Act to amend The Mining Act of Ontario.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Mining Amendment Act, 1916.*

Rev. Stat.
c. 32, s. 81,
amended. **2.** Section 81 of *The Mining Act of Ontario* is amended by inserting after the word "thereon" in the fourth line thereof the words, "or to a survey, patent or the first year's rental of a lease."

Rev. Stat.
c. 32, s. 34,
cl. d,
amended. **3.** Clause (d) of section 84 of the said Act is amended by striking out the figure "3" in the first line thereof and substituting therefor the figure "4."

Rev. Stat.
c. 32,
amended. **4.** The said Act is amended by inserting the following as section 183a:—

Payment
of wages
at mines or
on mining
works.

183a. Notwithstanding any agreement to the contrary, every person who performs labour for wages in connection with any mine, mining claim, mining lands, or works connected therewith, shall be paid such wages at intervals of not more than two weeks.

Rev. Stat.
c. 32,
amended. **5.** The said Act is amended by adding the following as section 194 (a):—

Applica-
tion by
Rev. Stat.
c. 32, ss.
192, 193.

The provisions of sections 192 and 193 shall also apply to all mining claims staked and recorded under *The Mines Act, 1906, The Mining Act of Ontario, 1908* or under this Act.

CHAPTER 13.

An Act to establish the Trades and Labour Branch.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Trades and Labour Branch Act*. Short title.
2. In this Act, Interpretation
 - (a) "Branch" shall mean the Trades and Labour Branch established under the provisions of this Act; "Branch"
 - (b) "Superintendent" shall mean Superintendent of the Trades and Labour Branch. "Superintendent."
3. There shall be a branch of the Public Service of the Government of Ontario to be known as the "Trades and Labour Branch." Branch established.
4. The Branch shall be attached to such one of the present departments of the Public Service as may be designated by the Lieutenant-Governor in Council, and shall be under the direction and control of the Minister in charge of that department. Branch to be attached to a department.
5. The Lieutenant-Governor in Council may appoint an officer to be known as Superintendent of the Trades and Labour Branch, and such other officers, clerks and servants as may be deemed advisable. Superintendent and officers.
6. The Superintendent for the purposes of *The Public Service Act* and *The Audit Act* shall rank as the deputy head of a department and in respect to matters assigned to the Branch shall Superintendent's rank powers and duties.

shall exercise and perform the powers and duties of the deputy head of a department.

To preside
over Branch.

7. The Superintendent, acting under the direction of the Minister shall preside over the Branch and shall perform such other duties as may be assigned to him by the Lieutenant-Governor in Council or by the Minister.

Officers
to report
to superin-
tendent.

8. Wherever by any Act of this Legislature an officer engaged in the administration of the law relating to any of the matters assigned to the Branch by this Act is directed to report to the Minister, the report shall, unless the Minister otherwise requires, be made to the Superintendent, and every such officer shall act under and obey the directions of the Superintendent.

Administra-
tion of cer-
tain statutes
assigned
to Branch.

9. There shall be assigned to the Branch the adminis-
tration of

Rev. stat.,
c. 37.

(a) *The Bureau of Labour Act;*

Rev. stat.,
c. 170.

(b) *The Stationary and Hoisting Engineers Act;*

Rev. stat.,
c. 228.

(c) *The Building Trades Protection Act;*

Rev. stat.,
c. 229.

(d) *The Factory, Shop and Office Building Act;*

Rev. stat.,
c. 252.

(e) *The Steam Boilers Act;*

and of such other Acts relating to the protection of the persons or interests of the industrial classes as may from time to time be designated by the Lieutenant-Governor in Council.

Duties of
Branch.

10. It shall be the duty of the Branch to

Statistics
and infor-
mation.

(a) collect such statistical and other information respecting trades and industries in Ontario as may be deemed necessary or expedient from time to time;

Distribution
of employ-
ment.

(b) ascertain the localities in which mechanics, artisans or workmen in any particular trade or industry are required and wherever practicable assist in supplying the demand for such work or labour;

Sanitary
and other
conditions.

(c) ascertain and report upon sanitary and other conditions relating to the health, comfort and well-being of the industrial classes;

(d)

- (d) establish and maintain in the various centres of ^{Employment} population throughout Ontario ^{Bureaus.} employment bureaus and similar agencies for obtaining suitable employment for workingmen;
- (e) ascertain and report upon the rates of wages paid ^{Wages.} to employees in the various trades and industries carried on in Ontario;
- (f) enquire and report as to the establishment of new ^{New industries in} industries in Ontario, in any case where by ^{Ontario.} reason of the production of raw material for such industry in Ontario, or the immigration of persons skilled in the particular industry or other circumstances it appears that such industry can profitably be carried on;
- (g) enquire into, consider and report upon the operation of laws in force in other parts of the ^{Reporting upon laws in} Empire and in foreign countries, ^{other parts of Empire and in} having for ^{foreign countries.} their objects the protection, technical training and welfare of the industrial classes, and make such recommendations and suggestions thereon as may be deemed advisable;
- (h) consider and report upon any petition for, or suggestion of a change in the law of Ontario relating to labour and wages or any matter affecting the industrial classes, presented or made by any trades and labour council or other organization representing those classes or by any other person; ^{Changes in the law.}
- (i) prepare and transmit to the Lieutenant-Governor ^{Annual report.} in Council annually a report containing the reports of the officers employed in the administration of the various Acts assigned to the Branch, and upon the work of the Branch during the preceding year, together with such statistical and other information as may have been collected in the Branch.

CHAPTER 14.

An Act to amend The Act to aid in the improvement of Public Highways.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Highway Improvement Act, 1916*.

Additional
\$1,000,000
set apart. **2.** The sum of \$1,000,000 is hereby set apart out of the Consolidated Revenue Fund to aid in the improvement of public highways.

Application
of fund
under Rev.
Stat. c. 40. **3.** The said sum shall be in addition to any sum heretofore set apart for the like purpose, and shall be applied as provided by *The Highway Improvement Act* and amendments thereto, and subject to the same terms and conditions as the fund set apart by that Act, and shall also be applied as provided by *The Ontario Highways Act*.

5 Geo. V.,
c. 17.

Rev. Stat.
c. 40, s. 3,
amended. **4.** Section 3 of *The Highway Improvement Act* is amended by striking out the figures “\$2,000,000” in the first line and substituting therefor the figures “\$3,000,000.”

Rev. Stat.
c. 40, s. 15,
amended. **5.** Section 15 of *The Highway Improvement Act* is amended by adding thereto the following subsection:—

Procuring
temporary
loans dur-
ing pro-
gress of
work.

- (2) The council of a county carrying on work under this Act may agree with any chartered bank or loan or trust corporation or with any person for temporary advances to meet the cost of the work in progress, the total of such temporary advances not to exceed in any one year the amount to be provided by the corporation of the county, together with the proportion of aid to be received from the Province, and the amount receivable from any city or cities as contribution to suburban roads.

6. *The Highway Improvement Act* is amended by adding the following section:—

Rev. Stat.
c. 40,
amended.

26a.—(1) The Council of any County may, with the approval of the Minister, pass a by-law as provided in section 4 of this Act and may exercise the powers and perform the duties provided by this Act with respect to any part of such county consisting of four or more adjoining townships, and may issue debentures for the purposes provided by this Act.

By-law may
be passed
under s. 4
as to part
of county.

(2) If a County Council passes a by-law as provided by subsection (1) of this section, the rate for the payment of any debentures issued for that purpose, or any other rate levied under authority of or by reason of this Act shall be levied and collected upon the property liable to assessment in that part of the county included under such by-law, and no part of the cost of such system shall be borne by the municipalities not so included.

Expenses to
be borne by
that part of
county in-
cluded in
by-law.

CHAPTER 15.

An Act to amend The Ontario Highways Act, 1915.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. 1. This Act may be cited as *The Ontario Highways Amendment Act, 1916.*

**5 Geo. V,
c. 17, s. 11,
subs. 1,
amended.** 2.—(1) Subsection 1 of section 11 of *The Ontario Highways Act, 1915* is amended by inserting after the word “salary” in the ninth line thereof the words “or wages,” and by striking out the word “yearly” in the ninth line thereof.

**5 Geo. V,
c. 17, s. 11,
subs. 4,
amended.** (2) Subsection 4 of the said section 11 is further amended by adding after the word “salary” in the second line thereof, the words “or wages.”

**5 Geo. V,
c. 17, s. 11,
amended.** (3) The said section 11 is further amended by adding thereto the following as subsection (5):—

**Term of
employ-
ment not
continuous.** (5) The term for which the said overseer or foreman shall be employed need not be continuous, but may be at the pleasure of the council, and for such time or times as he is actually engaged on the work, or in the discharge of the duties assigned to him.

**5 Geo. V,
c. 17, s. 17,
amended.** 3. Section 17 of *The Ontario Highways Act, 1915*, is amended by adding thereto the following as subsection (4):—

**Appoint-
ment of
commis-
sion.** (4) It shall be the duty of the council of a city, town or county to appoint a member or members to compose a commission as in this section provided, within thirty days from the receipt by the clerk of any such municipality of a copy of the Order-in-Council authorizing such commission.

CHAPTER 16.

An Act to amend The Toronto and Hamilton
Highway Commission Act.*Assented to 27th April, 1916.*

WHEREAS when *The Toronto and Hamilton Highway Commission Act* was enacted the total cost of the road-way was estimated to amount to \$600,000; and whereas it is now estimated that such total cost will amount to \$920,000 or thereabouts, and it is desirable to provide for such additional cost and to amend said Act accordingly and in other respects as hereinafter set forth;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Toronto and Hamilton Highway Commission Act, 1916.* Short title.

2. Section 9 of *The Toronto and Hamilton Highway Commission Act* is amended by adding the following subsection thereto:— 5 Geo. V.,
c. 18, s. 9,
amended.

- (2) Provided, however, that the course of the said road-way may, with the consent of the Lieutenant-Governor in Council, be varied at any point or points upon the Commission filing in the said Department a plan or plans showing such variation or variations, such plan or plans to be certified by an Ontario land surveyor and approved by the Ontario Railway and Municipal Board, after giving such notice and hearing such parties as the Board may think proper. Varying
from route
on original
plan.

3. Section 11 of the said Act is amended

(a) By inserting before the word "reconstruct" in the second line of subsection 1 the word "replace," and 5 Geo. V.,
c. 18, s. 11,
repealed.

(b)

(b) By inserting before the word "reconstruction" where it occurs in the seventh line of subsection 1, in the first line of subsection 2, and in the third line of subsection 3 the word "replacement."

5 Geo. V.,
c. 18, s. 17,
subs. 4,
repealed.

4. Subsection 4 of section 17 of the said Act is repealed and the following substituted therefor:—

Application
of fines and
penalties
imposed
under
Rev. Stat.
c. 207.

(4) All fines and penalties recovered on account of any breach or breaches of *The Motor Vehicles Act* or regulations made thereunder or regulations made by the Commission or otherwise for any offence committed on the highway shall be paid over to the Commission, notwithstanding anything contained in any other Statute or Statutes or regulations made thereunder.

5 Geo. V.,
c. 18, s. 18,
amended.

5. Section 18 of the said Act is amended by adding thereto the following subsections:—

Borrowing
powers of
Commission.

(9) The Commission may from time to time, with the consent of the Lieutenant-Governor in Council, borrow on the credit of the Commission all such sums in excess of \$600,000 as shall be required for the completion of the roadway, and for all sums so borrowed may issue from time to time debentures.

Term of
debentures
and rate of
interest.

(10) The debentures shall be payable in not more than five years from the first day of November, 1914, and shall bear date as of the date of the Order-in-Council approving of the issue thereof, and shall bear interest at a rate not exceeding six per centum per annum payable half yearly on the first days of May and November in each year during the currency of the debentures.

Denomina-
tion of
debentures.

(11) Such debentures may be issued in the denomination of \$100, \$500, or \$1,000, or partly in one or partly in others, of such denominations as the Commission may determine and may be in the form set out in Schedule "A" to the said Act so far as such form is applicable, and the signature of the Chairman of the Commission to the coupons thereon may be engraved or lithographed.

Subs. 3-8 to
apply to
new issue of
debentures.

(12) Subsections 3, 4, 5, 6, 7, and 8 shall apply to the debentures to be issued under subsection 9.

5 Geo. V.,
c. 18, ss. 19,
20 repealed.

6.—(1) Sections 19 and 20 of the said Act are repealed and the following substituted therefor:—

- 19.—(1) Within five years from the first day of November, 1914, the Municipal Corporation of the City of Toronto shall raise and pay over to the Commission the sum of \$250,000 on account of the share of the said Corporation towards the cost of the roadway. Contribution from City of Toronto.
- (2) Within the same period the Municipal Corporation of the City of Hamilton shall raise and pay over to the Commission the sum of \$50,000 on account of the share of the said Corporation towards the cost of the roadway. Contribution from the City of Hamilton.
- (3) Within the same period the Municipal Corporation of the County of York, the Municipal Corporation of the Village of Port Credit, the Municipal Corporation of the Town of Oakville, the Municipal Corporation of the Village of Burlington, the Municipal Corporation of the Township of Toronto, the Municipal Corporation of the Township of Trafalgar, the Municipal Corporation of the Township of Nelson, and subject to the provisions of subsection 4 of the Township of East Flamboro, shall raise and pay over to the Commission the sum of \$216,000, each of the said Corporations to so raise and pay over such sum as shall bear the same proportion to the said sum of \$216,000 as the number of miles or fraction thereof of the roadway constructed within the limits of said corporation bears to the whole mileage of the roadway, such mileage in each case to be shown by the certificate of the surveyor appointed under section 14, and such sum of money or the debentures which may be issued for the purpose of raising the same shall be provided for by a general rate on all the property in the municipality liable for taxation. Contribution from other municipalities.
- (4) Should the Commission take over or use as part of the roadway a road included in the county road system of the County of Wentworth, and situate in the Township of East Flamboro, the Corporation of the county shall within the said period raise and pay over to the Commission the amount which the Township of East Flamboro, but for the provisions of this subsection, would under subsection 3 be obliged to raise and pay over in respect of the mileage of the county road so taken or used, such mileage to be shown by certificate of the surveyor appointed under section 14, and shall County roads in Wentworth.

shall thereafter be liable to contribute to the maintenance of the roadway in the proportion which such contribution to the cost of the roadway bears to the total amount contributed by municipal corporations to the maintenance of the roadway, and the Corporation of the township shall, to that extent, be relieved from liability with respect to the construction and maintenance of the roadway.

Raising
balance of
cost by
local
assessment.

- (5) In addition to the amount provided for by subsection 3, the Municipal Corporation of the Township of Etobicoke, the Municipal Corporation of the Village of Mimico, and the Municipal Corporation of the Village of New Toronto, and each of the municipal corporations (other than the County of York) mentioned in the said subsection shall, within the said period of five years, pay to the Commission its share as determined by the Commission according to the mileage of the roadway in each municipality as shown by the certificate of the surveyor appointed under section 14 of the balance of the cost of construction up to, but not exceeding \$4,000 per mile of the roadway after deducting the contributions from the municipal corporations above mentioned and from the Province of Ontario and the share of each municipality shall be raised by such municipality imposing for a period not exceeding twenty years a special annual rate on the property fronting or abutting upon the roadway or highway or benefited thereby under *The Local Improvement Act*, and the councils of the respective municipalities shall pass such by-laws and take all such other necessary proceedings for imposing, levying and collecting such special rate.

Rev. Stat.
c. 193.

- (a) In estimating the amount payable by the Municipal Corporation of the Township of Etobicoke under this subsection, the sum which would be chargeable against the land now occupied by the Mimico Hospital for the Insane, if such land were not the property of the Crown and if such land adjoins the roadway, shall be deducted, and the amount thereof shall be included in the rate to be levied by the respective municipalities under this subsection.

(6) Each municipality may pass by-laws for issuing and may issue its debentures for an amount sufficient to pay its share for a term not exceeding twenty years and make the principal payable in annual instalments or at the end of a term and bearing interest at a rate not exceeding six per cent. per annum, payable half-yearly as may be found necessary, and the municipality shall be entitled to collect the rates so imposed and apply the same to the payment of such debentures.

Issue of
debentures
by municipal-
ities.

(7) During the currency of the debentures issued by the Commission the respective municipal corporations and the Province of Ontario shall be liable for and shall pay over to the Commission upon demand the amount required to meet the interest charges upon debentures and borrowings of the Commission in the proportion which the amount of the contribution of each municipality or of the Province of Ontario to the cost of the roadway bears to the total amount to be contributed by municipal corporations and the Province of Ontario, the amount so to be paid by the Province of Ontario to be paid out of the Consolidated Revenue Fund.

Payment of
interest
charges by
municipal
corporations.

(8) In addition to the amount provided for under subsection 7, there shall be paid out of the Consolidated Revenue Fund to the Commission on account of the share of the Province of Ontario the balance of the cost of the roadway, exclusive of the cost to the Commission and to municipal corporations of the replacement, reconstruction, enlargement, or alteration of bridges provided for in section 11, or of the approaches thereto, but not to exceed a sum equal to forty per cent. (40%) of an expenditure of \$920,000, and subject to such terms and regulations as may be imposed by Order-in-Council.

Contribution of
Province.

7. Subsections 2, 3 and 4 of section 22 of said Act are repealed and the following substituted therefor:—

5 Geo. V.,
c. 18, s. 22,
subs. 2,
3 and 4
repealed.

(2) All damages and costs recovered against the Commission under subsection 1 shall be paid to the Commission by the municipal corporations liable for the cost of the maintenance and repair of the roadway in the same proportions as they are under the provisions of said Act liable for such cost of maintenance and repair.

Reimbursement of
Commission for payment
of claim for
damages.

(3)

Contribution of City of Toronto to maintenance and repair.

- (3) The Municipal Corporation of the City of Toronto, during the period of twenty-five years from the first day of November, 1914, shall annually on demand pay to the Commission such proportion of the cost of maintenance and repair of the roadway as the total sum which the said Corporation is to contribute pursuant to this Act to the cost of the roadway bears to the total amount contributed by the municipal corporations (exclusive of that contributed under section 11) towards the cost of the roadway.

Contribution of City of Hamilton to maintenance and repair.

- (4) The Municipal Corporation of the City of Hamilton during the period of twenty-five years from the first day of November, 1914, shall annually on demand pay to the Commission such proportion of the cost of maintenance and repair of the roadway as the total sum which the said Corporation is to contribute pursuant to this Act to the cost of the roadway bears to the total amount contributed by the municipal corporations (exclusive of that contributed under section 11) towards the cost of the roadway.

5 Geo. V., c. 18, s. 24, subs. 1, repealed.

8. Subsection 1 of section 24 of the said Act is repealed and the following substituted therefor:—

Varying width or specifications under agreement with municipality or owner.

- (1) The corporation of any municipality which under the provisions of this Act contributes to the cost of construction of the highway and any owner of land adjoining the highway may enter into an agreement with the Commission for the construction of a permanent pavement upon the roadway with different specifications or of greater width and with different specifications than the remainder of the roadway and the Commission may construct the pavement as may be so agreed upon.

Upkeep of work done under agreement.

- (1a) The Commission shall keep an accurate account of the extra cost of upkeep of that part of the roadway so constructed according to such agreement, and such extra cost shall be borne and paid by the corporation or person entering into such agreement.

Agreement for removal of snow, ice, etc.

- (1b) Any such corporation or owner may enter into an agreement with the Commission for the removal of snow, ice, mud, debris and generally keeping clean that portion of the highway mentioned in such agreement, the Commission

Commission to keep an accurate account of the cost thereof and the amount of such cost shall be borne by the corporation or person entering into such agreement.

9. The said Act is further amended by adding thereto the following sections:—

5 Geo. V.,
c. 18,
amended.

25. The Indenture made pursuant to *The Short Forms of Conveyances Act*, between one Cudmore and the Commission, copy of which is set forth in Schedule "A" to this Act, is ratified and confirmed, and the lands which purpose to be conveyed by said conveyance to the said Cudmore are hereby vested as of the date of said conveyance in the said Cudmore in fee simple. Cudmore conveyance confirmed.
26. The indenture made pursuant to *The Short Forms of Conveyance Act*, between one Osler and the Commission, copy of which is set forth in Schedule "B" to this Act, is ratified and confirmed and the lands which purport to be conveyed by said conveyance to the said Osler are hereby vested as of the date of said conveyance in the said Osler in fee simple. Osler conveyance confirmed.
27. The agreement entered into between the Commission and the Corporation of the Town of Oakville, copy of which is set forth in Schedule "C" hereto, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto. Agreement with Town of Oakville confirmed.
28. The resolution passed by the Municipal Council of the Township of Trafalgar, a copy of which is set forth in Schedule "D" hereto, is hereby ratified and confirmed and declared to be valid and binding upon the said Police Village of Bronte. Resolution of Police Village of Bronte confirmed.
29. The indenture made pursuant to *The Short Forms of Conveyances Act*, between one William George Gooderham and the Commission, a copy of which is set forth in Schedule "E" to this Act, is ratified and confirmed, and declared to be valid and binding upon the parties thereto. Gooderham conveyance confirmed.
30. The indenture made between the Commission and William George Gooderham, a copy of which is set forth in Schedule "F" to this Act, is ratified and confirmed, and declared to be valid and binding upon the parties thereto. Conveyance from Commission to W. G. Gooderham confirmed.

SCHEDULE

SCHEDULE "A."

This Indenture, made the third day of November, 1915, in pursuance of *The Short Forms of Conveyances Act*.

Between:

William Henry Cudmore, of the Township of Trafalgar, in the County of Halton, Yeoman, hereinafter called the Grantor, of the First Part;

Rebecca Elizabeth Cudmore, his wife, of the Second Part;

and

The Toronto and Hamilton Highway Commission, hereinafter called the Grantees, of the Third Part.

Whereas the lands hereinafter mentioned are required by the said Grantees for the purposes authorized by the Act fifth, George V, chapter 18, respecting the said Grantees and the said Grantees have arranged with the said Grantor for a conveyance thereof to them; Now therefore this Indenture witnesseth that in consideration of the premises and of one thousand five hundred dollars of lawful money of Canada now paid by the said Grantees to the said Grantor (the receipt whereof is hereby by him acknowledged), he, the said Grantor, doth grant unto the said Grantees in fee simple all that certain parcel of land situate in the said Township of Trafalgar composed of part of lot number thirty-two (part of which is sometimes called lot number thirty-one) in the Fourth Concession south of Dundas Street, otherwise called the Broken Front Concession, consisting of a strip of land sixty-six feet in width, thirty-three feet measured at right angles on either side of the centre line of the said strip extending from West Street in the Village of Bronte to the division line between the lands of the said Grantor and one Crabb, and bounded by West Street and by the said division line, the said centre line of which is described as follows:—

Commencing at a point in the south-western limit of West Street one foot and ten inches measured south-westerly along the said limit of street from the centre line of Triller Street produced; thence on a five degree curve to the left four hundred and thirty-four feet and eight and one-half inches; thence south one degree and forty-six minutes west four hundred and eighty-six feet and nine and one-half inches more or less to the said division line between the lands of the said Grantor and Crabb. To hold unto and to the use of the said Grantees, their successors and assigns. And for the consideration aforesaid the Grantor for himself, his heirs, executors, administrators and assigns hereby releases and discharges the Grantees, their successors and assigns from all claims and demands which the Grantor now has or which he or his heirs, executors, administrators or assigns might or would hereafter have against the Grantees, their successors or assigns by reason of the expropriation or taking of the said lands by the Grantees or for or on account of severance or of the construction, maintenance and use of a highway upon the said lands with such works therefor and at such levels or grades as the Grantees, their successors and assigns may at any time think proper.

The said Grantor covenants with the said Grantees that he has the right to convey the said lands to the said Grantees notwithstanding any act of the said Grantor; And that the said Grantees shall have quiet possession of the said lands free from all incumbrances; And the said Grantor covenants with the said Grantees that he will execute such further assurances of the said lands as may be requisite; And the said Grantor covenants with the said Grantees that he has done no act to incumber the said lands.

And

And the said Grantor releases to the said Grantees all his claims upon the said lands; And the said wife of the said Grantor hereby bars her dower in the said lands.

In witness whereof the said parties have hereunto set their hands and seals and Corporate Seal.

Signed, Sealed and Delivered in the presence of	}	"W. H. CUDMORE." (Seal)
"W. S. DAVIS."		"REBECCA E. CUDMORE." (Seal)

County of Halton, To Wit:—I, William Sinclair Davis, of the Town of Oakville, in the County of Halton, Agent, make oath and say:—

1. That I was personally present and did see the within instrument and a duplicate thereof duly signed, sealed and executed by William Henry Cudmore and Rebecca Elizabeth Cudmore, two of the parties thereto.
2. That the said instrument and duplicate were so executed by the said parties at the Village of Bronte, in the County of Halton.
3. That I know the said William Henry Cudmore and Rebecca Elizabeth Cudmore and that each of them is over the full age of twenty-one years.
4. That I am a subscribing witness to the said instrument and duplicate.

Sworn before me at the Town of Oakville, in the County of Halton, this fourth day of November, 1915.	}	"W. S. DAVIS."
"W. A. CHISHOLM," A Commissioner, etc.		

SCHEDULE "B."

This Indenture made in triplicate the twenty-eighth day of February, 1916, in pursuance of *The Short Forms of Conveyances Act*,

Between

Edmund F. Osler, of the Township of Trafalgar, in the County of Halton, Yeoman, herein called the party of the first part;

The Toronto and Hamilton Highway Commission, herein called the party of the second part;

and

Nadine Jane Hamilton Osler, wife of the said party of the first part, of the third part.

Witnesseth that in consideration of the conveyance by the said party of the second part to the said party of the first part of the

lands

lands described in Schedule "B" hereto and for the further consideration of the sum of twelve hundred dollars (\$1,200) of lawful money of Canada now paid by the said party of the second part to the said party of the first part (the receipt whereof is hereby acknowledged), he, the said party of the first part, doth grant unto the said party of the second part in fee simple the lands described in Schedule "A" hereto to have and to hold unto the said party of the second part, its successors and assigns to and for its and their sole and only use forever, subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

The said party of the first part covenants with the said party of the second part that he has the right to convey the said lands to the said party of the second part, notwithstanding any act of the said party of the first part;

And that the said party of the second part shall have quiet possession of the said lands free from all encumbrances;

And the said party of the first part covenants with the said party of the second part that he will execute such further assurances of the said lands as may be requisite;

And the said party of the first part covenants with the said party of the second part that he has done no act to encumber the said lands;

And the said party of the first part releases to the said party of the second part all his claims upon the said lands;

And the said party of the third part, the wife of the said party of the first part, hereby bars her dower in the said lands;

And that for the consideration aforesaid the party of the first part for himself, his heirs, executors, administrators and assigns hereby releases and discharges the party of the second part, its successors and assigns from all claims and demands which the party of the first part now has or which he or his heirs, executors, administrators and assigns might or could hereafter have against the party of the second part, its successors or assigns by reason of severance or of the construction, maintenance and use of a highway upon the said lands described in said Schedule "A" hereto;

And this indenture further witnesseth that in consideration of the conveyance by the said party of the first part to the said party of the second part of the lands described in said Schedule "A," the said party of the second part doth grant unto the said party of the first part in fee simple the lands described in Schedule "B" hereto to have and to hold unto the said party of the first part, his heirs and assigns to and for his and their sole and only use forever, subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown;

And the said party of the second part covenants with the said party of the first part that it will execute such further assurances of the said lands as may be requisite;

And the said party of the second part covenants with the said party of the first part that it has done no act to encumber the said lands;

And the said party of the second part releases to the said party of the first part all its claims upon the said lands described in said Schedule "B."

In witness whereof the parties hereto have hereunto set their hands and seals and corporate seal attested by the hands of the proper officers in that behalf.

Signed, sealed and delivered in the presence of (Signed) F. G. OSLER and JAS. A. THOMPSON.	{	(Signed) E. F. OSLER, (Seal)
		By his Attorney, ENO B. OSLER.
		(Signed) NADINE J. H. OSLER. (Seal)

TORONTO & HAMILTON HIGHWAY COMMISSION.

(Seal)

(Signed) GEO. H. GOODERHAM,
Chairman.

(Signed) G. FRANK BEER,
Honorary Secretary.

Executing under Power of Attorney bearing date the 22nd day of January, 1915, and registered in the Registry Office for the County of Halton in Book F for General Register on the 17th day of February, 1916, as Number 2061.

SCHEDULE "A."

Referred to in the annexed Conveyance.

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Trafalgar, in the County of Halton, in the Province of Ontario, being composed of part of Lot Number 33 in the fourth concession south of Dundas Street, otherwise called the Broken Front Concession in the said Township and consisting of a strip of land sixty-six feet (66') in width, thirty-three (33') feet measured at right angles on either side of the centre line of the said strip and which strip of land may be more particularly described as follows, that is to say: Commencing at a point in the division line between lots numbers thirty-two and thirty-three, distant four thousand one hundred and fourteen feet and eight inches (4,114' 8") measured south-easterly along the said division line from the southern limit of the road allowance between the Broken Front and the third concessions of the said Township of Trafalgar;

Thence south one degree and forty-six minutes west (S. 1° 46' W.) parallel with and distant thirty-three feet (33') measured at right angles from the located centre line of the herein described parcel, one thousand five hundred and three feet and two inches (1,503' 2");

Thence on an eight degree and twenty-three minute curve (8° 23' C.) to the right, to an intersection with the division line between lots numbers thirty-three and thirty-four, and the northern limit of the present Lake Shore Road;

Thence north-easterly and following along the northern limit of the Lake Shore Road two hundred and eighty feet (280') more or less to a point distant thirty-three feet (33') measured easterly at right angles from the located centre line of the herein described parcel;

Thence

Thence north one degree and forty-six minutes east (N. $1^{\circ} 46'$) parallel with and distant thirty-three feet (33') measured easterly at right angles from the aforesaid located centre line one thousand four hundred and forty-eight feet and ten inches ($1,448' 10''$) more or less to the aforesaid division line between lots numbers thirty-two and thirty-three;

Thence north-westerly along the said division line ninety-two feet and four inches ($92' 4''$) to the place of beginning;

The above described parcel of land containing by admeasurement two and four-tenths acres (2.4 acs.), be the same more or less.

SCHEDULE "B."

Referred to in the annexed Conveyance.

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Trafalgar, in the County of Halton, in the Province of Ontario, being composed of part of the Lake Shore Road Allowance through part of lot number thirty-three in the fourth concession, S.D.S., otherwise called the Broken Front Concession in the said township, and which may be more particularly described as follows, that is to say:—

Commencing at the intersection of the division line between lots numbers thirty-two and thirty-three with the northerly limit of the old Lake Shore Road, said point being distant four thousand eight hundred and thirty-six and six-tenths feet ($4,836.6'$) measured south-easterly along the said division line between lots numbers thirty-two and thirty-three from the south-easterly limit of the road allowance between the Broken Front or fourth concession and the first concession, S. D. S.;

Thence south-westerly following along the said northern limit of the old Lake Shore Road eleven hundred and fifteen and eight-tenths feet ($1,115.8'$) more or less to the easterly limit of the Toronto and Hamilton Highway;

Thence southerly along the said easterly limit of the Toronto and Hamilton Highway on a curve to the right two hundred and seven-tenths and six-tenths feet ($217.6'$) to the southerly limit of the aforesaid old Lake Shore Road;

Thence north-easterly along the said southerly side of the last mentioned road allowance thirteen hundred and two and six-tenths feet ($1,302.6'$) more or less to the aforesaid division line between lots numbers thirty-two and thirty-three;

Thence north-westerly along the said last mentioned division line fifty-five feet ($55'$) more or less to the place of beginning.

Province of Ontario, County of York, To Wit: I, Francis Gordon Osler, of the City of Toronto, in the County of York, Share Broker, make oath and say:—

1. That I was personally present and did see the within instrument and duplicate and triplicate thereof duly signed, sealed and executed by Edmund F. Osler (by his attorney, Edmund B. Osler), and Nadine Jane Hamilton Osler, two of the parties hereto.

2. That the said instrument and duplicate and triplicate were executed by the said parties at Toronto aforesaid.

3. That I know the said parties and am satisfied that each of them is of the full age of 21 years.

4. That I am a subscribing witness to the said instrument and duplicate and triplicate.

Sworn before me at the City
of Toronto, in the County of
York, this first day of March,
A.D. 1916.

(Sgd.) JAS. A. THOMPSON,
A Commissioner, etc.

(Sgd.) F. G. OSLER.

I certify that the within instrument is duly entered and registered in the Registry Office for the Registry Division of the County of Halton in Book C. for Trafalgar, at 11.10 o'clock a.m. of the 17th day of March, 1916, No. 11959.

(Sgd.) M. B. FIELD,
Dp. Registrar.

SCHEDULE "C."

This agreement made in duplicate this 28th day of September, 1915.

Between:

The Municipal Corporation of the Town of Oakville in the County of Halton (hereinafter called the Corporation), of the first part;

and

The Toronto and Hamilton Highway Commission (hereinafter called the Commission, of the second part.

Whereas the Commission has settled upon the specifications according to which its highway is to be constructed, which provide amongst other things that the roadway shall be eighteen feet of concrete with a three-foot gravel or macadam shoulder on each side and open ditching on each side;

And whereas the Corporation desires that upon that part of the roadway on Colborne Street between the easterly limit of Allan Street and the easterly limit of Navy Street in the said Town of Oakville there shall be constructed a permanent pavement of a greater width and in accordance with the specifications set forth in Schedule A hereunto annexed, the portion between the easterly limit of Allan Street and the easterly limit of Dundas Street being thirty feet in width and the portion between the easterly limit of Dundas Street and the easterly limit of Navy Street being fifty feet in width;

And whereas the Commission has agreed to construct the said permanent pavement of the said additional width;

Now this agreement witnesseth:

1. That the Commission shall as part of its roadway construct a permanent pavement on Colborne Street thirty feet in width between the easterly limit of Allan Street and the easterly limit of Dundas Street and fifty feet in width between the easterly limit of Dundas Street and the easterly limit of Navy Street, according to the specifications set forth in the said Schedule A.

2. The Corporation shall pay to the Commission the amount by which the cost of constructing the said widened permanent pavement exceeds what it would have cost the Commission to construct on Colborne Street between the easterly limit of Allan Street and the easterly limit of Navy Street a roadway of the width and in accordance with the specifications settled upon by the Commission, such excess cost to be ascertained and certified by the chief engineer for the time being of the Commission, and the Corporation's engineer, and payment to be made by the Corporation forthwith upon such cost being so ascertained and certified. Such payment shall be made by the Corporation in addition to all other payments for which the Corporation shall be liable pursuant to the provisions of The Toronto and Hamilton Highway Commission Act.

3. In the cost of constructing the said widened permanent pavement which the Corporation is to pay pursuant to the last preceding clause of this agreement there shall be included all such sums as the Commission may pay for or in connection with such works, including storm sewers, as the chief engineer for the time being of the Commission, and the Corporation's engineer shall certify to have been rendered necessary or desirable by the widening of the roadway as aforesaid, and including also all lands or easements which the Commission or the Corporation may deem it requisite or desirable to acquire in connection with such storm sewers or other works, provided that upon payment by the Corporation of the cost which the Corporation is to pay pursuant to the foregoing provisions of this agreement the Commission shall convey to the Corporation (subject to such easements or other rights as the Commission may deem it requisite to retain) any excess lands acquired by the Commission for such sewers or other works and not in the opinion of the Commission further required for the purposes of the Commission.

4. In case the chief engineer of the Commission and the Corporation's engineer shall fail to agree about any matter which they are to decide, ascertain or certify pursuant to clause 2 or clause 3 of this agreement, the matter shall without further action on the part either of the Corporation or of the Commission be and it is hereby referred for decision to the said engineers and to the then Senior Judge of the County Court of the County of York as referee, and the decision of the said referee shall be final and binding upon the parties.

5. The intention of the parties being that all additional cost of maintenance entailed by the construction of the widened permanent pavement as aforesaid shall be borne by the Corporation it is declared and agreed that the payments to be made by the Corporation as hereinbefore agreed shall be deemed to be a contribution by the Corporation to the cost of construction of the Commission's roadway within the meaning of subsection 5 of section 22 of the Toronto and Hamilton Highway Commission Act, and that the Corporation's proportion of the cost of maintenance and repair of the highway shall be determined accordingly.

6. The Commission agrees to furnish to the Corporation such full and accurate information as to the construction, measurements and cost of the said work as may be required by the Corporation for the purpose of preparing a special assessment roll therefor.

7. The Corporation shall join with the Commission in any application that it may be deemed advisable to make to the Legislature of Ontario for legislation confirming this agreement or any part of it or giving effect to the intention of the parties.

In witness whereof the parties have hereunto set their Corporate Seals by their duly authorized officers.

Signed, sealed and delivered in the presence of	}	"W. E. FEATHERSTONE,"	<i>Mayor.</i>
"M. C. IRVINE."		"WM. E. M. CRAWLEY,"		Clerk.

SCHEDULE "D."

COPY OF RESOLUTION PASSED BY THE COUNCIL OF THE TOWNSHIP OF TRAFALGAR.

TRAFALGAR P.O., August 16th, 1915.

That authority be and is hereby given to the Commission of the Police Village of Bronte to enter into an agreement with the Toronto-Hamilton Highway Commission, for such local improvements as may be necessary on said highway in said Village, Trafalgar Municipality to guarantee the cost. Carried.

COPY OF RESOLUTION PASSED BY THE COUNCIL OF THE TOWNSHIP OF TRAFALGAR.

TRAFALGAR P.O., Nov. 15th, 1915.

Wallbrook-Turner.

That the Clerk be and is hereby instructed to attach the Corporate Seal to Resolution passed by Council on August 16, 1915, granting privilege to the Commission of the Police Village of Bronte to enter into negotiation with the Toronto-Hamilton Highway Commission for construction of work to the extent of \$1,051.00. Carried.

This agreement made in duplicate this fourteenth day of October, 1915.

Between:

The Toronto and Hamilton Highway Commission (hereinafter called the "Commission"), of the first part;

and

The Trustees of the Police Village of Bronte, in the Township of Trafalgar, in the County of Halton (hereinafter called the "Trustees"), of the second part.

Whereas the Commission has settled upon the specifications according to which its highway is to be constructed, which provide amongst other things, that the highway shall be eighteen feet of concrete with a three-feet gravel or macadam shoulder on each side and open ditching on each side;

And whereas the Commission has commenced the construction of its highway through the Police Village of Bronte in the said Town-

ship of Trafalgar, and in carrying on the said work it has been necessary for the Commission to take up and remove or destroy certain drains between East Street and West Street and certain sidewalks between Trafalgar Street and Mississauga Street within the limits of the said Police Village;

And whereas the Trustees desire that the said sidewalks and drains should be replaced by the Commission with the cement walks and covered tile drains mentioned in, and constructed according to the specifications set forth in Schedule "A" herein annexed;

And whereas it has been agreed that the Commission shall construct the said sidewalks and drains mentioned in Schedule "A" hereto annexed in accordance with the said specifications and that the Trustees' share of the cost of the said work shall be the sum of one thousand and fifty-one dollars (\$1,051.00);

Now this agreement witnesseth:

1. The Commission shall construct the said sidewalk and drains in accordance with the specifications set forth in Schedule "A" hereto annexed.

2. Forthwith, upon the completion of the construction of the said sidewalks and drains, the Trustees shall pay to the Commission the said sum of one thousand and fifty-one dollars (\$1,051.00) in full satisfaction and payment of the Trustees' share of the cost thereof, such payment to be in addition to all other payments for which the trustees or the Township of Trafalgar shall be liable pursuant to the provisions of *The Toronto and Hamilton Highway Commission Act*.

3. The Commission agrees to furnish to the Trustees such full and accurate information as to the construction, measurements and cost of the said work as may be required by the Trustees for the purpose of preparing a special assessment roll therefor.

In witness whereof the parties hereto have hereunto set their corporate seals and hands of their proper officers respectively.

Signed, sealed and delivered

in the presence of

"H. M. FLUMERFELT."

{	"W. H. CUDMORE,"	Chairman.
		(SEAL.)
	"LOUIS JOYCE,"	(SEAL.)
	"J. S. FLUMERFELT."	(SEAL.)

SPECIFICATIONS FOR SIDEWALKS FOR THE VILLAGE OF BRONTE.

The sidewalk as shown on the attached plan and as mentioned in the agreement between the Toronto and Hamilton Highway Commission and the Village of Bronte, is to be built according to the standard specifications for concrete sidewalks as on file in the office of the Clerk of the Village of Bronte.

SPECIFICATIONS FOR A TILE DRAIN SYSTEM IN THE VILLAGE OF BRONTE.

The tile drains to be built as shown on attached plan, and as referred to in the attached agreement are to be 6 inches and 12 inches in diameter, and placed at such a depth as shown by the engineers of The Toronto and Hamilton Highway Commission to grades as set by them, and are to be laid with open joints, and backfilled to the surface with gravel to be supplied by the Village of Bronte.

SCHEDULE

SCHEDULE "E."

This indenture made the 15th day of April, one thousand nine hundred and sixteen. In pursuance of the Short Forms of Conveyances Act.

Between:

William George Gooderham, of the City of Toronto, Esquire, hereinafter called the Grantor, of the first part;

Ella Gooderham, his wife, of the second part;

and

The Toronto and Hamilton Highway Commission, hereinafter called the Grantees, of the third part.

Whereas the lands hereinafter mentioned are required by the said Grantees for the purposes authorized by the Act 5 George the Fifth, Chapter 18 (Ontario) and have agreed with the said Grantor for the purchase thereof.

Now therefore this indenture witnesseth:

That in consideration of one dollar of lawful money of Canada now paid by the said Grantees to the said Grantor (the receipt whereof is hereby by him acknowledged) he the said Grantor doth grant unto the said Grantees in fee simple all that certain parcel of land situate in the Township of Toronto, in the County of Peel, containing two hundredths of an acre more or less composed of part of lot number thirty-two in the Fourth Concession south of Dundas Street, described as follows:

Commencing at a point where a stake has been planted in the south-easterly limit of the Lake Shore Road at a line between lots numbers 32 and 33; thence north 38 degrees and 6 minutes east along the said south-easterly limit of the Lake Shore Road five hundred and seventy-nine feet; thence south 37 degrees and 40 minutes west two hundred and seventeen feet and ten inches; thence south 37 degrees and 59 minutes west three hundred and sixty-one feet and six inches to the said line between lots numbers 32 and 33; thence north 44 degrees and 3 minutes west along the said line two feet and five and one-quarter inches more or less to the place of beginning.

To hold unto and to the use of the said Grantees, their successors and assigns. And for the consideration aforesaid the Grantor for himself, his heirs, executors, administrators and assigns hereby releases and discharges the Grantees, their successors and assigns from all claims and demands which the Grantor now has or which he or his heirs, executors, administrators or assigns might or could hereafter have against the Grantees, their successors or assigns by reason of or on account of the construction, maintenance and use of a highway upon the said lands with such works therefor and at such levels or grades as the Grantees, their successors and assigns may at any time think proper.

The said Grantor covenants with the said Grantees that he has the right to convey the said lands to the said Grantees notwithstanding any act of the said Grantor; And that the said Grantees shall have quiet possession of the said lands free from all incumbrances; And the said Grantor covenants with the said Grantees that he will execute such further assurances of the said lands as may be requisite; And the said Grantor covenants with the said Grantees

that

that he has done no act to incumber the said lands; And the said wife of the said Grantor hereby bars her dower in the said lands.

In witness whereof the said parties have hereunto set their hands and seals and Corporate Seal.

Signed, sealed and delivered
in the presence of

"E. D. GOODERHAM."
"E. JOHNSON."

"W. G. GOODERHAM,"

"ELLA GOODERHAM."

TORONTO AND HAMILTON HIGHWAY COMMISSION.

"GEO. H. GOODERHAM,"
Chairman.

"G. FRANK BEER,"
Honorary Secretary.

County of York to Wit: I, Edward Douglas Gooderham, of the City of Toronto, in the County of York, Assistant Manager, make oath and say:

1. That I was personally present and did see the within instrument and a duplicate thereof duly signed, sealed and executed by William George Gooderham and Ella Gooderham, two of the parties thereto.

2. That the said instrument and duplicate were so executed by the said parties, at the City of Toronto, in the County of York.

3. That I know the said parties, and that each of them is over the age of twenty-one years.

4. That I am a subscribing witness to the said instrument and duplicate.

Sworn before me at the City
of Toronto, in the County of
York, this 17th day of April
1916.

"G. E. McCANN,"
A Commissioner &c.

"E. D. GOODERHAM."

SCHEDULE "F."

This indenture made the 15th day of April, 1916.

Between:

The Toronto and Hamilton Highway Commission, hereinafter
called the Grantors, of the first part;

and

William George Gooderham, of the City of Toronto, Esquire.
hereinafter called the Grantee, of the second part.

Witnesseth that in consideration of the sum of one dollar of lawful money of Canada now paid by the said Grantee to the said Grantors (the receipt whereof is hereby acknowledged), the said Grantors do grant unto the said Grantee in fee simple: All that
certain

certain parcel of land situate in the Township of Toronto, in the County of Peel, containing two hundredths of an acre more or less, composed of part of the allowance for road between the Third and Fourth Concessions south of Dundas Street described as follows:

Commencing in the northwesterly limit of the Lake Shore Road at the line between lots numbers 32 and 33; thence south 51 degrees and 44 minutes east two feet and five and one-quarter inches; thence north 37 degrees and 59 minutes east three hundred and seventy-one feet and eight and a half inches; thence north 37 degrees and 40 minutes east two hundred and seventeen feet and ten inches to the said northwesterly limit of the Lake Shore Road; thence south 38 degrees and 6 minutes west along the last mentioned limit five hundred and eighty-nine feet and six and a half inches more or less to the place of beginning.

To hold unto and to the use of the said Grantee, his heirs and assigns forever.

It is declared and agreed that nothing herein contained shall be construed to imply any covenant on the part of the said Grantors or any representation on the part of the said Grantors that they have the right to convey the said lands to the said Grantee.

In witness whereof the said parties hereto have hereunto set their Corporate Seal and hand and seals.

Sealed and delivered and countersigned by

In the presence of

"E. JOHNSON."

TORONTO AND HAMILTON HIGHWAY COMMISSION.

"GEO. H. GOODERHAM,"
Chairman.

"G. FRANK BEER,"
Honorary Secretary.

Signed, sealed and delivered
in the presence of
"E. D. GOODERHAM." } "W. G. GOODERHAM."

CHAPTER 17.

An Act to confer certain rights and powers upon
The Greater Winnipeg Water District.*Assented to 27th April, 1916.*

Preamble.

WHEREAS The Greater Winnipeg Water District is a corporation comprising the municipalities of Winnipeg, St. Boniface, Transcona, Assiniboia, Fort Garry, St. Vital and Kildonan and was incorporated for the purpose of supplying these municipalities with a sufficient quantity of pure and wholesome water for the use of the inhabitants; and whereas it has been made to appear that the only available source of water supply for domestic and municipal purposes for use in the district is Shoal Lake, in the District of Kenora in the Province of Ontario; and whereas the said corporation applied to the Lieutenant-Governor in Council for the right and power to divert and take water from Shoal Lake for the purposes aforesaid; and whereas the Lieutenant-Governor in Council by Order-in-Council approved the 2nd day of October, 1913, purported to grant such right and power to The Greater Winnipeg Water District; and whereas it is expedient that subject to the conditions and stipulations hereinafter set out in section 2 of this Act the said Order-in-Council should be confirmed and declared to be legal, valid and binding;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Greater Winnipeg Water District Act (Ontario), 1916.*

Order-in-Council confirmed.

2. Subject to the provisions of section 3, the Order-in-Council approved by the Lieutenant-Governor in Council on the 2nd day of October, A.D. 1913, adopting the report of The Honourable the Minister of Lands, Forests and Mines also set out in the said schedule, and the terms, conditions and stipulations set out in the said report are confirmed and declared to be and to have been, as from the said date, legal, valid

valid and binding to all intents and purposes as if the same had been set out and enacted by an Act of the Legislature of Ontario.

3. The Greater Winnipeg Water District shall conform to and comply with and fulfil any order or recommendation which the International Joint Commission may make under the terms and authority of the International Boundary Waters Treaty made between His Britannic Majesty and the United States of America whenever and so soon as such order or recommendation becomes of legal force and effect in the Dominion of Canada.

District
to comply
with
orders, etc.,
of Inter-
national
Joint Com-
mission.

SCHEDULE "A."

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor, the 2nd day of October, A.D. 1913.

The Committee of Council have had under consideration the annexed report of the Honourable the Minister of Lands, Forests and Mines, with reference to the application of The Greater Winnipeg Water District, comprising the following municipalities in the Province of Manitoba, that is to say:—

Winnipeg, having a population of	191,067
St. Boniface, " "	9,100
Transcona, " "	1,632
Assiniboia, " "	6,000
Fort Garry, " "	3,000
St. Vital, " "	1,817
Kildonan, " "	2,075

for permission to take water from Shoal Lake, in the District of Kenora for domestic and municipal purposes, and advise that there be granted to the said Greater Winnipeg Water District the right to enter upon and to divert and take water from the said Shoal Lake, subject to the terms, conditions and stipulations set forth and contained in the Minister's report.

Certified.

(Sgd.) J. LONSDALE CAPREOL,
Clerk, Executive Council.

To His Honour the Lieutenant-Governor in Council.

The undersigned has the honour to report that The Greater Winnipeg Water District, comprising the following municipalities in the Province of Manitoba, that is to say:—

Winnipeg, having a population of	191,067
St. Boniface, " "	9,100
Transcona, " "	1,632
Assiniboia, " "	6,000
Fort Garry, " "	3,000
St. Vital, " "	1,817
Kildonan, " "	2,075

which said district is shown on the map hereto annexed, has represented that the only available source of water supply for domestic and

and municipal purposes, for use in the said district, is Shoal Lake, in the District of Kenora, in the Province of Ontario, and the said district has applied for permission to take water from the said lake for the purposes aforesaid.

The undersigned respectfully recommends that there be granted to the said The Greater Winnipeg Water District the right to enter upon and to divert and take water from Shoal Lake, in the District of Kenora, in this Province, subject to the following terms, conditions and stipulations:—

1. That full compensation be made to the Province of Ontario and also to all private parties whose lands or properties may be taken, injuriously affected or in any way interfered with, but water taken within the terms hereof, and considered merely as water, is not property to be paid for.

2. That the District shall abide by and conform to any and all rules, regulations or conditions regarding the ascertainment of the quantity of water being taken, and as to the inspection of works and premises, and the manner of carrying out the proposed works, and that the Government of Ontario may at any time see fit to make or enact in the premises.

3. That the water shall be used only for the purposes for which municipalities and residents therein ordinarily use water, and not for the generation of hydraulic or electric power, and the quantity taken shall never, at any time, exceed one hundred million gallons per day.

4. That if it should hereafter appear that the taking of said water from Shoal Lake affects the level of the Lake of the Woods at the Town of Kenora, and thereby appreciably reduces the amount of power now developed and owned by the Town of Kenora, or in any way injuriously affects the property of the said town, The Greater Winnipeg Water District shall construct such remedial works as may be necessary to prevent or remove any such injurious effects, and in the case of failure on the part of the said District to construct such works, then the said District shall pay to the Town of Kenora any damages the said town shall sustain by reason of the taking of the water as aforesaid.

5. In the event of a dispute between the Town of Kenora and The Greater Winnipeg Water District with reference to any of the matters in the preceding paragraph mentioned, the same shall be finally settled and determined by arbitration under the *Ontario Arbitration Act*.

(S) W. H. HEARST.

Toronto, October 1st, 1913.

CHAPTER 18.

An Act to confirm an Agreement between the Electric Power Company, Limited, and His Majesty, the King.

Assented to 27th April, 1916.

WHEREAS the Electric Power Company is the owner Preamble.
of or controls the shares of the capital stock of the corporations named in the first recital of the agreement hereinafter mentioned; and whereas the said Electric Power Company, Limited; and the said Companies so controlled by it are the owners of or control, among other properties, assets, rights, contracts, licenses, privileges and franchises, a number of water powers and water privileges in the central portion of Ontario; and whereas it is desirable in the public interest that such water powers and privileges, and the development, transmission and distribution of electrical power or energy therefrom should be owned or controlled as public utilities; and whereas His Majesty, the King, represented therein by the Honourable George Howard Ferguson, Minister of Lands, Forests and Mines, has entered into a contract with the Electric Power Company, a copy of which is set out in Schedule "A" to this Act, providing for the purchase of all the assets and undertakings of every kind and nature whatsoever, of the Electric Power Company, Limited, and the said twenty-two companies mentioned in Schedule "A" to the said contract; and whereas it is expedient that the said contract should be confirmed, and the Government of Ontario should be empowered to complete the said purchase, and to deal with, manage and dispose of the property acquired under the said contract, or any part thereof;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Central Ontario Power Act, 1916.* Short title.

2. The agreement, dated the 10th day of March, 1916, Agreement between Crown and Electric Power Co. confirmed.
between the Electric Power Company, Limited, and His Majesty the King, represented therein by the Honourable George Howard Ferguson, Minister of Lands, Forests and
Mines

Mines, which agreement is set out in Schedule "A" to this Act, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto.

Property
vested in
Crown.

3. All and every part of the property, assets, rights, contracts, privileges, licenses, franchises, undertakings and businesses dealt with or purporting to be dealt with, or agreed to be purchased or sold under the terms of the said contract set out in Schedule "A" are hereby vested in His Majesty the King, as representing the Province of Ontario, free from all liens, charges and encumbrances, save as provided in the said contract of purchase.

Crown
authorized
to carry out
contract.

4. The Lieutenant-Governor-in-Council is hereby authorized and empowered to do all and every act, matter and thing requisite or necessary, or deemed advisable to be done in order to complete and carry out the said contract, and all and every proviso and stipulation therein contained purporting to be made by or on behalf of His Majesty the King.

Issue of
bonds for
purchase
money.

5.—(1) The Treasurer of Ontario is authorized to issue debentures of the Province of Ontario to the amount of \$8,350,000, payable at the office of the Treasurer of Ontario, Toronto, Canada, or the agency of the Bank of Montreal in the City of New York, United States of America, or at the agency of the said bank in the City of London, England, at the holder's option in debentures of \$1,000 each, bearing date the first day of March, 1916, and payable in gold coin on the first day of March, A.D. 1926, and with coupons to be attached for payment of interest at the rate of 4 per cent. per annum, payable in gold coin half-yearly at the office of the Treasurer of Ontario, Toronto, Canada, or at the agency of the Bank of Montreal in the City of New York, United States of America, or at the agency of the said bank in the City of London, England, at the option of the holder of the debentures, on the first day of March and the first day of September in each year until the principal falls due.

Registration
of
bonds.

(2) The Treasurer of Ontario is authorized at the request of the holders of the said debentures from time to time, or any of them, to have the same registered in the office of the Treasurer of Ontario.

Delivery of
bonds to
vendor
company.

(3) The said debentures, upon their issue, shall be delivered to the Electric Power Company, Limited, in full discharge of the purchase money agreed to be paid by the Crown under the contract of Purchase Schedule "A" to this Act, and neither His Majesty, or the Treasurer of Ontario, or any member of the Government of Ontario shall be bound to see to the application of the said debentures or of the proceeds thereof.

(4) The said debentures, and the interest thereon, shall be a charge upon, and shall be payable out of the Consolidated Revenue Fund of Ontario.

Bonds
charged on
Consolidated
Revenue.

6. The Lieutenant-Governor in Council may at any time, or from time to time by Order-in-Council vest in any commission, municipal corporation, municipal commission, company, corporation, firm or individual, the ownership or control, or power of administration and management of all or any of the undertakings, properties, rights, contracts, licenses, privileges, franchises and businesses of all or any of the twenty-two companies named in the first recital in the said agreement to such extent, and in such manner and for such purposes, for such periods and on such terms and conditions and for such estate as such Order-in-Council may provide, and thereupon such commission, municipal corporation, municipal commission, company, corporation, firm or individual shall be clothed with and have, hold, exercise, enforce and enjoy all the rights, powers and privileges in respect of such undertakings, properties, rights, contracts, licenses, privileges, franchises and businesses as shall be granted by such order-in-council and subject to any limitations or restriction in such order-in-council shall have, hold, exercise, enforce and enjoy in respect of such undertakings, properties, rights, contracts, licenses, privileges, franchises and businesses all the rights, powers and privileges which the company, whose undertakings, properties, rights, contracts, licenses, privileges, franchises and businesses is or are vested as aforesaid, had therein before the passing of the Act.

Order-in-
Council
vesting
property in
Commission,
etc.

7. Until the Lieutenant-Governor-in-Council shall in manner herein provided otherwise directs, the said undertakings, properties, rights, contracts, licenses, privileges, franchises and businesses, and every part thereof shall be under the management and control of some person nominated by the Lieutenant-Governor in Council, who shall control, manage and administer the same for the benefit of His Majesty, either in the name of His Majesty, or in the name of the company now owning, controlling, or administering the same, and such person shall have, hold, exercise, enjoy and enforce all rights, powers and privileges in respect of the management, control or administration of the same as shall be granted or conferred by such order-in-council and subject to any limitations and restrictions contained in such order-in-council shall have, hold, enjoy, exercise and enforce all the rights, powers and privileges in respect of the property under his control, which such company or companies had before the passing of this Act.

Manage-
ment of
property
until dis-
posed of.

8. A copy of this Act shall be deposited, copied and registered in the General Register of every Registry Office and

Registration
of Act.

Land

Land Titles Office in which is registered or recorded the title to any lands affected by the terms of this Act, and every Registrar of Deeds, or Master of Titles as the case may be, shall, upon the request of the solicitors for the Crown, enter in the abstract index of each parcel or tract of land, the title to which is in any way affected by this Act, a note, entry or memorandum showing that the title thereto has been changed or affected by this Act, and referring to the date and registration number in the General Index where this Act has been recorded or registered as aforesaid.

SCHEDULE "A."

AGREEMENT made this tenth day of March, 1916,

Between:

THE ELECTRIC POWER COMPANY, LIMITED,

hereinafter called the vendor,

Of the first part,

—and—

HIS MAJESTY THE KING, herein represented by the Honourable George Howard Ferguson, Minister of Lands, Forests and Mines,

hereinafter called the purchaser,

Of the second part.

WHEREAS the vendor owns or controls the capital stock of the following companies carrying on business in the Province of Ontario, that is to say:

1. Auburn Power Company, Limited.
2. Central Ontario Power Company, Limited.
3. City Gas Company of Oshawa, Limited.
4. Cobourg Utilities Corporation, Limited.
5. Cobourg Water and Electric Company.
6. Cobourg Gas, Light and Water Company.
7. Eastern Power Company, Limited.
8. Light, Heat and Power Company of Lindsay.
9. Napanee Gas Company, Limited.
10. Napanee Water and Electric Company.
11. Nipissing Power Company, Limited.
12. Northumberland Pulp Company, Limited.
13. Oshawa Electric Light Company.
14. Otonabee Power Company, Limited.
15. North Bay Light, Heat and Power Company.
16. Peterborough Light and Power Company, Limited.
17. Peterborough Radial Railway Company.
18. Port Hope Electric Light and Power Company.
19. Seymour Power and Electric Company, Limited.
20. Sidney Electric Power Company, Limited.
21. Trenton Electric and Water Company, Limited.
22. Tweed Electric Light and Power Company, Limited.

And whereas the vendor has agreed to sell, and the purchaser has agreed to purchase, all the assets and undertakings of the said companies of every kind and nature, excepting such assets as are hereinafter specifically excepted, for the considerations hereinafter mentioned.

Now this agreement witnesseth as follows:

1. The vendor shall sell, and the purchaser shall purchase, as they existed on the first day of March, 1916, all the assets and undertakings

takings of every kind and nature whatsoever of the vendor and of the said companies as follows:

1. All freehold and leasehold lands, tenements and hereditaments of the said company.
2. All plant, machinery, furniture, licenses, franchises, stock-in-trade, stores and all other chattels to which the said companies or any of them are or is entitled in connection with the businesses carried on by them respectively.
3. All pending contracts and engagements of the said companies or any of them in connection with any business so carried on.
4. All other property to which the said companies or any of them are or is entitled except, however, all cash and all bills and notes and all book and other debts due to the vendor or any of the said companies.

2. The consideration for the sale shall be the sum of Eight Million Three Hundred and Fifty Thousand dollars (\$8,350,000), which shall be paid and satisfied by the issue and delivery to the vendor of Ontario Government Debentures bearing date March 1st, 1916, and payable March 1st, 1926, and bearing interest at the rate of four per cent., payable half-yearly in Toronto, New York and London.

3. The assets and undertakings are sold free of all encumbrances, but as regards leaseholds subject to all the rents and covenants contained in any leases or agreements for leases under which the same are held, all of which are known to the purchaser. The vendor undertakes to pay and discharge all existing debts and liabilities of the said Companies.

4. The purchaser agrees to assume all contracts and engagements of the Vendor or any of the said Companies and to indemnify them against any claims in respect thereof, which arise hereafter.

5. The purchaser accepts the title of the vendor and the said Companies to all the said premises; it being understood that the purchaser shall obtain at his own expense the requisite consents for the assignments of any leaseholds.

6. From and after the First day of March, 1916, the vendor and the said Companies shall carry on the respective businesses and maintain the same as going concerns, but they shall from the said date be deemed to be carrying on such businesses on behalf of the purchaser, and shall account and be entitled to be indemnified accordingly, and all income and receipts shall be adjusted and divided as of the first day of March, 1916.

Should any difference arise as to said adjustments these shall be referred to G. T. Clarkson, Esquire, of Toronto, as an Expert and not as an arbitrator, and his decision shall be final and binding on the parties.

7. Taxes and rents and insurance shall be adjusted as of the first day of March, 1916.

The purchase shall be completed before the first day of May, 1916.

In Witness whereof the parties have executed this agreement the day and year above mentioned.

(Sgd.) THE ELECTRIC POWER COMPANY, LIMITED,
STRACHAN JOHNSTON,
President.

(Sgd.) SAMUEL D. FOWLER,
Asst. Sec'y.
(Seal of Co.)

(Sgd.) G. H. FERGUSON,
Minister Lands Forests & Mines.

Witness: (Sgd.) C. C. Hele.

CHAPTER

CHAPTER 19.

An Act to amend The Power Commission Act and to confirm Certain By-laws and Contracts.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short
title.

1. This Act may be cited as "*The Power Commission Act, 1916.*"

Rev. Stat.
c. 39, s. 6,
subs. 2,
amended.

2. Subsection 2 of section 6 of *The Power Commission Act* is amended by striking out all the words therein after the words "Lieutenant-Governor in Council" in the third line.

Rev. Stat.
c. 39, s. 6,
amended.

3. Section 6 of *The Power Commission Act* is amended by adding thereto the following subsections:—

Apportion-
ment of
salaries and
expenses of
officers.

(3) Such salaries and remuneration and the travelling and other expenses of the persons appointed or employed by the Commission, as well as any other expenses of the Commission, shall be apportioned by the Commission among, and shall be chargeable to the various works and undertakings carried on by the Commission upon which such persons are employed, but any portion of such salaries or other remuneration and travelling and other expenses which are not properly chargeable to such works or undertakings and which are earned or incurred in the performance of work or services other than those rendered in respect of works or undertakings of the Commission under contract with municipal corporations shall be chargeable and payable out of such moneys as may be appropriated for that purpose by the Legislature.

Apportion-
ment to
be final.

(4) The apportionment by the Commission of such salaries or other remuneration and travelling and other expenses shall be final.

Commence-
ment of
section.

(5) The provisions of this section shall take effect as from the 1st day of January, 1910.

4. *The Power Commission Act* is amended by adding the following section:—

Rev. Stat.
c. 39,
amended.

6a.—(1) The Lieutenant-Governor in Council may appoint an officer to be known as the Comptroller of the Commission who shall hold office during the pleasure of the Lieutenant-Governor in Council and shall countersign every cheque issued by the Commission, but before countersigning shall satisfy himself that the issue of the cheque is authorized.

Appoint-
ment of
Comptroller.

(2) The Comptroller shall give such directions as he may deem proper as to the books of account kept by the Commission and shall cause to be kept and entered therein regular accounts according to a system and method approved of from time to time by the Lieutenant-Governor in Council of all sums of money received and paid out by the Commission and of the several purposes for which the same are received and paid, and such books shall be at all times open to the inspection of any person appointed by the Lieutenant-Governor in Council for that purpose, and any such person may take copies or extracts from such books.

Books and
accounts.

(3) The Commission, through the Comptroller, shall, before the 15th day of February in each year, make to the Treasurer of Ontario an annual report for the information of the Lieutenant-Governor in Council and for the information of the Assembly, and such report shall contain, among other things, clear and comprehensive statements disclosing and exhibiting—

Annual
financial
report.

(a) The actual condition as to the amount and character of the assets and liabilities (direct and indirect) of the undertakings conducted by it as on 31st December last preceding;

(b) The cash transactions, including receipts and disbursements for the year ending on 31st December last preceding;

(c) The revenues, income and interest earned and the amount of the costs, expenses and other items chargeable there against in connection with the operation, maintenance, administration and conduct of the undertakings controlled by it for the year ending 31st December last preceding;

(d)

- (d) The amounts, with the expected sources of the same, which it is estimated will be received in cash or its equivalent and the payments, loans and advances with the purpose of the same, which it is contemplated shall be made in cash or otherwise, in the next succeeding year;
- (e) The amounts and particulars of the obligations and liabilities which it is contemplated shall be incurred in the next succeeding year;
- (f) The securities or evidence of indebtedness which it is contemplated shall be created, issued, sold or otherwise disposed of, together with the method of dealing with the same in the next succeeding year;

and such other matters as may appear to be of public interest in relation to the said Commission or its works, as the Lieutenant-Governor in Council may direct, and such statements shall be in form approved of by the Treasurer of Ontario, and shall contain such information and particulars as he shall require, and shall be certified by the chairman or vice-chairman as true and correct in all particulars.

Other
returns by
Comptroller.

- (4) The Comptroller shall make such other and further reports, and prepare and furnish such other statements to the Treasurer of Ontario as he shall from time to time request or direct.
- (5) In case of the illness or absence of the Comptroller or a vacancy in the office, the Lieutenant-Governor in Council may appoint some other person to act as Comptroller, and the person so appointed shall, during such absence or vacancy, possess the powers and perform the duties of the Comptroller.
- (6) The accounts of the Commission shall, upon the direction of the Lieutenant-Governor in Council, be from time to time, and at least once every year, audited either by the Auditor for Ontario, or by other auditor or auditors.

(7)

- (7) The salary of the Comptroller and the expenses of such audits shall be fixed by the Lieutenant-Governor in Council and shall be payable out of such moneys as may be appropriated for the purposes of the Commission by the Legislature, as part of the costs of the administration.

5.—(1) In lieu of the provisions contained in *The Ontario Public Works Act*, *The Power Commission Act*, and *The Hydro-Electric Railway Act, 1914*, with respect to the appointment of arbitrators where land or other property is taken or injured by the Commission in the doing of any work under the authority of any of the said Acts, the Chief Justice of the Supreme Court of Ontario, upon the request of the Lieutenant-Governor in Council, may nominate some person who, in his opinion, is skilled in the valuing of real property, and upon such nomination being approved by the Lieutenant-Governor in Council and until such approval is revoked the person so nominated shall become and be the sole arbitrator for the purpose of any arbitration proceedings taken under any of the said Acts to which the Commission is a party, but in all other respects the provisions of the said Acts, including those relating to appeals, shall apply.

Appoint-
ment of
sole arbi-
trator in
lieu of
Rev. Stat.
cc. 35, 39
and 4 Geo.
V, c. 31.

(2) Until such nomination is made and approved and after such approval is revoked and until another nomination has been made and approved, the compensation to be paid to any person whose property may be taken or injured by the Commission, shall be determined in the same manner as heretofore.

Determin-
ing compen-
sation be-
fore sole
arbitrator is
appointed.

6. *The Power Commission Act* is amended by adding thereto the following sections:—

Rev. Stat.
c. 39,
amended.

14a. Where the Legislature has appropriated money for the purposes of the Commission, such money shall be payable out of such appropriation to the Commission from time to time, upon the requisition of the Chairman of the Commission and the direction of the Lieutenant-Governor in Council, in such amounts and at such times as shall be stated in the requisition and direction, and this section shall have effect notwithstanding that there may be sums due from the Commission to the Province and notwithstanding anything in *The Audit Act* contained.

Payment
over to
Commission
of moneys
appropriated.

Rev. Stat.
c. 23.

14b. The Commission may set apart out of the moneys coming to its hands from time to time from any municipal corporation, railway company, or distributing company such sums as may be sufficient in the opinion of the Commission to provide for the renewal, reconstruction, alteration and

Reserve
fund.

and repair of the works constructed and operated by the Commission, and to meet any unforeseen expenditure caused by the destruction or injury of any such works.

Rev. Stat.
c. 39, s. 15,
amended.

7.—(1) Section 15 of *The Power Commission Act* is amended by inserting after the word "Commission" in the first line the words "on account of sinking fund or interest."

(2) Section 15 of the said Act is amended by adding thereto the following subsection:—

Rev. Stat.
c. 39, s. 15
amended.

Application
of income of
Commission.

(2) The income of the Commission shall be applied to the necessary operating expenses, to the preservation, improvement, supervision, renewal, repairs, maintenance and insurance of its works, and to the payment of the remuneration and expenses of the Commissioners, and the salaries of officers and others employed by the Commission, and to other incidental expenses.

Rev. Stat.
c. 39,
amended.

8. *The Power Commission Act* is amended by adding thereto the following section:—

Commission
may
purchase
and sell
supplies.

15a.—(1) The Commission may, out of any funds in its hands, from time to time purchase such electrical, hydraulic or other machinery, appliances, apparatus and furnishings as may be used in the transmission, distribution, supply or use of electrical power or energy, and may dispose of the same from time to time to municipal corporations and commissions.

Doing work
for contract-
ing munici-
palities.

(2) The Commission may undertake and carry out the installation, construction, erection or purchase of supplies for any plant, machinery, wires, poles and other things for the transmission, distribution, supply or use of electrical power or energy for light, heat or power purposes, by a municipal corporation or commission which has entered into a contract with the Commission for the supply of electrical power or energy, and the Commission may charge and collect from such corporation or commission the cost of any work done or service rendered by the Commission, its officers, servants or workmen under this subsection.

Commence-
ment of
section.

(3) This section shall take effect as from the 31st day of October, 1910.

9. Section 18 of *The Power Commission Act* is amended by adding thereto the following subsection:—

Rev. Stat.
c. 39, sub. 8,
amended.

- (8) Where a corporation has entered into a contract with the Commission for the supply of electrical power or energy, the debentures issued for any works for the distribution and supply of such electrical power or energy by the corporation, shall not be included in ascertaining the limit of the borrowing powers of the corporation as prescribed by *The Municipal Act*.

Debentures
of contract-
ing munici-
palities not
included in
ascertaining
limit of
borrowing
powers.

Rev. Stat.
c. 192.

10. Section 37 of *The Power Commission Act*, as enacted by section 12 of *The Power Commission Act, 1915*, is repealed and the following substituted therefor:—

5 Geo. V,
c. 19, s. 12,
amended.

- 37.—(1) The Commission may, with the approval of the Lieutenant-Governor in Council, make regulations as to the design, construction, installation, protection, operation, maintenance and inspection of works, plant, machinery, apparatus, appliances, devices, material and equipment for the generation, transmission, distribution, connection and use of electrical power or energy by any municipal corporation or commission and by any railway, street railway, electric light, power or transmission company, or by any other company or individual generating, transmitting, distributing or using electric power or energy, or whose undertaking works or premises are electrically connected with any plant for the generation, transmission or distribution of electric power or energy, and the Commission may impose penalties for the breach of any such regulations.

Regulations
as to
electrical
works.

- (2) The Commission may, at any time, order such work to be done in the installation, removal, alteration or protection of any of the works mentioned in subsection 1, as the Commission may deem necessary for the safety of the public, or of workmen, or for the protection of the property damaged by fire or otherwise, and pending the performance of such work, or in case of noncompliance with the regulations or with any order of the Commission, may order the supply of electrical power or energy to be cut off from such works.

Order of
Commission
as to work
to be done.

Ordering
cutting off
of supply.

- (3) The Commission may appoint inspectors for the purpose of seeing that the regulations and orders of the Commission, made under the authority

Inspectors
and their
duties.

of

of this section, or any other provision of this Act, are carried out and may collect the fees to be paid by any municipal corporation or commission, or by any company, firm, or individual under the regulations or by order of the Commission, and may provide for the payment of the remuneration, travelling and other expenses of the Inspector out of the fines and fees so collected or out of the funds appropriated for carrying on the work of the Commission.

Powers as to entering on property.

- (4) Every Inspector so appointed may, during any reasonable hour, enter upon, pass over or through any land, buildings or premises for the purpose of carrying out the regulations and orders of the Commission, and perform the duties assigned to him; and every municipal corporation or commission, company, firm, or individual, molesting, hindering, disturbing or interfering with an inspector in the performance of his duty, shall be guilty of an offence, and shall incur the penalty provided by subsection 7.

Duty as to complying with written order of Commission.

- (5) Every municipal corporation or commission, and every company, firm, or individual, upon receiving notice in writing by the Commission to remedy any defect or to make any alteration, or carry out any work, or comply with such notice within the time thereby prescribed, and in default, shall incur the penalty provided by subsection 7.

Penalty for supplying electricity before works approved.

- (6) Every municipal corporation or commission, and every company, firm or individual, supplying electrical power or energy for use in any electric works, plant, machinery, apparatus, appliance or equipment before the same have been inspected and such supply authorized by the certificate of the Commission, and after notice from the Commission of the unauthorized supply or use, shall incur a penalty of not less than \$300 nor more than \$500.

Penalty for disobeying order to discontinue supply.

- (7) Every municipal corporation or commission, and every company, firm and individual, refusing or neglecting to disconnect or discontinue the supply of electricity to any electric works, plant, machinery, apparatus, appliance, or equipment, upon due notice in writing from the Commission so to do, shall incur a penalty of not less than \$300 nor more than \$500.

- (8) Nothing in this Act shall affect the liability of any ^{Other liability not affected.} municipal corporation or commission, or of any company, firm, or individual, for damages caused to any person or property by reason of any defect in any electric works, plant, machinery, apparatus, appliance, device, material, or equipment, or in the installation or protection thereof, nor shall the Commission or any inspector incur any liability by reason of any inspection or the issue of any certificate or on account of any loss occasioned by the cutting off of the supply of electrical power or energy in accordance with the orders of the Commission.

- (9) Every municipal corporation or commission, and ^{Penalty for disobeying regulations.} every company, firm or individual, disobeying the provisions of this Act, or of the regulations, or any order of the Commission, shall incur a penalty of not less than \$10 nor more than \$50, and in the event of continuing the offence, of not less than \$10 nor more than \$50 for every day during which such offence continues.

- (10) The penalties imposed by or under the authority ^{Recovery of penalties under} of this section shall be recoverable under *The Ontario Summary Convictions Act* and shall be ^{rev. Stat. c. 90.} paid over to the Commission.

11. Section 48 of *The Power Commission Act*, as enacted ^{5 Geo. V. c. 19, s. 15,} by section 15 of *The Power Commission Act*, 1915, is ^{amended.} amended by adding thereto the following sub-section:—

- (4) Every member or officer of a municipal commission ^{Disqualification of member of municipal commission dealing in electrical supplies.} who contravenes any of the provisions of this section shall forfeit his office, and shall be disqualified and incapable of being elected or appointed to any such municipal commission or to any other municipal office for a period of two years, and the like proceedings may be taken by the Commission or by a ratepayer against any such member or officer to remove him from his office or declare his disqualification, as may be taken by a ratepayer for the removal or disqualification of a member of a municipal council who has become disqualified from sitting and voting therein, but the Commission shall not be required to furnish security for costs.

12. Notwithstanding anything in *The Power Commission Act* contained the Commission, with the approval of the ^{Relieving municipality from sinking fund charges.} Lieutenant-Governor

Lieutenant-Governor in Council may relieve any municipal corporation which has entered into a contract with the Commission, from the payment of any sum in the sinking fund account during the first five years of such contract, and the amount required from the corporation for sinking fund shall be payable only during the remainder of the term of the contract.

By-laws
confirmed.

13. By-laws Nos. 716 and 718 of the Corporation of the City of Niagara Falls; By-laws Nos. 486 and 491 of the Corporation of the Town of Blenheim; By-laws Nos. 10 and 11 of 1914, Nos. 7 and 11 of 1915, and No. 3 of 1916, of the Corporation of the Town of Bothwell; By-laws Nos. 576 and 612 of the Corporation of the Town of Chesley; By-laws Nos. 653 and 654 of the Corporation of the Town of Durham; By-laws Nos. P-19 and P-20 of the Corporation of the Town of Gravenhurst; By-laws Nos. 498 and 499 of the Corporation of the Town of Harriston; By-laws Nos. 658 and 659 of the Corporation of the Town of Listowel; By-laws Nos. 265 and 266 of the Corporation of the Town of Markdale; By-laws Nos. 654 and 659 of the Corporation of the Town of Mount Forest; By-laws Nos. 1,169 and 1,178 of the Corporation of the Town of Orangeville; By-laws Nos. 474 and 476 of the Corporation of the Town of Palmerston; By-laws Nos. 1,033 and 1,034 of the Corporation of the Town of Petrolia; By-laws Nos. 602, 603 and 615 of the Corporation of the Town of Ridgetown; By-laws Nos. 207 and 222 of the Corporation of the Village of Ailsa Craig; By-laws Nos. 8 and 9 of 1914 as amended by By-law No. 3 of 1916, and No. 8 of 1915, of the Corporation of the Village of Chatsworth; By-laws Nos. 292 and 294 of the Corporation of the Village of Dutton; By-laws Nos. 254 and 257 of the Corporation of the Village of Dundalk; By-laws Nos. 21 and 14 of the Corporation of the Village of Exeter; By-laws Nos. 29 and 30 of the Corporation of the Village of Flesherton; By-laws Nos. 165 and 166 of the Corporation of the Village of Milverton; By-laws Nos. 318 and 321 of the Corporation of the Village of Shelburne; By-laws Nos. 320, 321 and 327 of the Corporation of the Village of Thamesville; By-laws Nos. 59 and 60 of the Corporation of the Village of Tavistock; By-laws Nos. 83 and 84 of the Corporation of the Village of Victoria Harbor; By-laws Nos. 25, 243 and 259 of the Corporation of the Township of Tilbury West; By-laws Nos. 657 and 658 of the Corporation of the Township of Delaware; By-laws Nos. 304 and 305 of the Corporation of the Township of Egremont; By-laws Nos. 723, 724 and 745 of the Corporation of the Township of Westminster; By-laws Nos. 596 and 597 of the Corporation of the Township of Beverly; By-law No. 592 of the Corporation of the Township of Ancaster;

By-laws

By-laws Nos. 532 and 542 of the Corporation of the Township of Caradoc; By-laws Nos. 553 and 585 of the Corporation of the Township of South Dumfries; By-law No. 631 of the Corporation of the Township of Tay; By-laws Nos. 811, 849 and 851 of the Corporation of the Township of Toronto are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof, respectively, and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act*, or the amendments thereto or of any other statute.

Rev. Stat.
c. 39.

14. The Municipal Corporation of the City of Niagara Falls, the Municipal Corporation of the Town of Blenheim, the Municipal Corporation of the Town of Bothwell, the Municipal Corporation of the Town of Harriston, the Municipal Corporation of the Town of Listowel, the Municipal Corporation of the Town of Palmerston, the Municipal Corporation of the Town of Petrolia, the Municipal Corporation of the Town of Ridgetown, the Municipal Corporation of the Village of Ailsa Craig, the Municipal Corporation of the Village of Dutton, the Municipal Corporation of the Village of Exeter, the Municipal Corporation of the Village of Milverton, the Municipal Corporation of the Village of Thamesville, the Municipal Corporation of the Village of Tavistock, the Municipal Corporation of the Police Village of Delaware, the Municipal Corporation of the Police Village of Lambeth, the Municipal Corporation of the Police Village of Lynden, the Municipal Corporation of the Police Village of St. George, the Municipal Corporation of the Township of Toronto are added as parties of the second part to the contract set out in Schedule "A" to *The Power Commission Act, 1909*, as varied, confirmed and amended by the said Act, and as further varied, confirmed and amended by the Act passed in the tenth year of the reign of His late Majesty King Edward VII, chaptered 16, and by subsequent Acts and by this Act, and the said contract shall be binding upon the parties thereto, respectively, as to the City of Niagara Falls, from the 15th day of December, 1915; as to the Town of Blenheim, from the 15th day of June, 1915; as to the Town of Bothwell, from the 21st day of June, 1915; as to the Town of Harriston, from the 27th day of August, 1915; as to the Town of Listowel, from the 23rd day of August, 1915; as to the Town of Palmerston, from the 23rd day of August, 1915; as to the Town of Petrolia, from the 11th day of August, 1915; as to the Town of Ridgetown, from the 16th day of June, 1915; as to the Village of Ailsa Craig, from the 5th day of July, 1915; as to the Village of Dutton, from the 29th day of March, 1915; as to the Village of

Certain
Corporations added
as parties
to contract
with Com-
mission.

Time from
which con-
tract to be
binding on
corpora-
tions added.

Exeter

Exeter, from the 5th day of August, 1915; as to the Village of Milverton, from the 30th day of September, 1915; as to the Village of Thamesville, from the 15th day of June, 1915; as to the Village of Tavistock, from the 22nd day of September, 1914; as to the Police Village of Delaware, from the 1st day of April, 1915; as to the Police Village of Lambeth, from the 18th day of February, 1915; as to the Police Village of Lynden, from the 28th day of June, 1915; as to the Police Village of St. George, from the 14th day of June, 1915; as to the Township of Toronto, from the 10th day of June, 1913.

Amendment
of schedule
to contract.

15. The names of the said municipal corporations are added to Schedule "B" of the said contract, and such schedule shall be read as containing the particulars set out in Schedule "A" to this Act.

Certain
other
contracts
confirmed.

16. The contracts set out as Schedules "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," "L" and "M" hereto between the Hydro-Electric Power Commission of Ontario and the Corporations of the Town of Chesley, the Town of Durham, the Town of Gravenhurst, the Town of Huntsville, the Town of Markdale, the Town of Mount Forest, the Village of Chatsworth, the Village of Dundalk, the Village of Flesherton, the Village of Shelburne, the Village of Victoria Harbor, the Police Village of Holstein, and the Police Village of Williamsburg are hereby confirmed and declared to be legal, valid and binding upon the parties thereto respectively, and shall not be open to question upon any grounds whatsoever, notwithstanding the requirements of *The Power Commission Act*, or the amendments thereto or any other statute.

Rev. Stat.
c. 39.

SCHEDULE "A."

Column 1	2	3	4	5	6	7
Name of Municipal Corporation.	Quantity of Power applied for in H.P.	Maximum Price of Power at Niagara Falls.	*No. of Volts.	Estimate maximum cost of power ready for distribution in Municipality.	Estimate proportionate part of cost to construct transmission line, transformer stations and works for nominally 30,000 H.P., with total capacity of 60,000 H.P.	Estimate proportionate part of line loss and of part cost to operate, maintain, repair, renew and insure transmission line, transformer stations and works for nominally 30,000 H.P., with total capacity of 60,000 H.P.
				\$ c.	\$ c.	\$ c.
Niagara Falls	2,000	....	....	11 50	17,500 00	1,185 00
Blenheim	250	....	....	43 70	74,901 00	4,122 00
Bothwell	150	....	....	59 26	70,905 00	3,427 00
Harriston	200	....	....	46 62	64,706 00	3,440 00
Listowel	300	....	....	37 41	74,565 00	3,927 00
Palmerston	200	....	....	40 82	55,208 00	2,926 00
Petrolia	500	....	....	36 26	117,295 00	6,512 00
Ridgetown	200	....	....	47 17	65,016 00	3,645 00
Ailsa Craig	100	....	....	49 67	32,784 00	2,063 00
Dutton	50	....	....	43 53	15,130 00	849 00
Exeter	200	....	....	43 70	59,550 00	3,247 00
Milverton	200	....	....	35 63	46,986 00	2,446 00
Thamesville	125	....	....	45 40	38,779 00	3,183 00
Tavistock	100	....	....	49 50	35,173 00	2,010 00
Delaware	25	....	....	46 56	8,704 00	434 17
Lambeth	25	....	....	46 56	8,704 00	434 17
Lynden	120	....	....	33 00	21,714 00	1,621 00
St. George	100	....	....	38 78	24,334 00	1,456 00
Toronto Township.	100	....	....	25 00	13,680 00	807 00

*Number required by each Corporation.

SCHEDULE "B."

This Indenture made the 6th day of October, 1915,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Town of Chesley, hereinafter called the "Corporation," party of the second part.

Whereas the Corporation under the provisions of the *Power Commission Act* and amendments thereto, Revised Statutes of Ontario Chapter 39, has applied to the Commission for a supply of power, and has passed a by-law No. 612, passed the eighteenth day of October, 1915, to authorize the execution of an agreement therefor.

Now therefore this indenture witnesseth, that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the parties hereto agree each with the other as follows:—

1. The Commission agrees:

(a) To reserve and deliver at the earliest possible date four hundred (400) horse power, or more, of electrical power to the Corporation.

(b) At the expiration of reasonable notice, in writing, which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times first-class, modern, standard commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous twenty-four (24) hour power every day in the year to the Corporation at the distribution bus bars in the Commission's sub-station within the Corporation's limits.

2. The Corporation agrees:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually in twelve (12) equal monthly instalments, interest upon its proportionate part, (based on the quantity of electrical energy or power taken) of all moneys expended by the Commission on capital account for the acquiring of properties and rights, and acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

To pay an annual sum for its proportionate part of all moneys expended by the Commission on capital account for the acquiring of the said properties and rights, and the cost of the said construction, so as to form in thirty (30) years a sinking fund for the retirement of securities issued by the Province of Ontario.

Also

Also to bear its proportionate part of the line loss, and pay its proportionate part of the cost to operate, maintain, repair, renew and insure the said generating plants, transformer stations, transmission lines, distributing stations, and other necessary works.

All payments under this clause shall be subject to adjustment under paragraph 6.

(c) The amounts payable in accordance with clause 2 (b) shall be paid in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bills remain unpaid for fifteen days, the Commission may, in addition to all other remedies, and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisoes, and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To pay for three-fourths of the power ordered from time to time by the Corporation, and held in reserve for it, as herein provided, whether it takes the same or not. When the highest average amount of power taken for any twenty (20) consecutive minutes during any month exceeds during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent., the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(f) To use at all times first-class, modern standard commercial apparatus and plant, to be approved by the Commission, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

(g) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement, and of the said Act.

3. This agreement shall remain in force for thirty (30) years from the date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second, and shall be delivered as aforesaid at a voltage suitable for local distribution.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property

property of the Commission, and to take records at all reasonable hours.

6. The Commission shall at least annually, adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations, for such power and such interest, sinking fund, cost of lost power, and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporation and other Municipal Corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all moneys expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporations and other Municipal Corporations, supplied by the Commission, having regard to the amounts paid by them respectively, under the terms of this agreement, and such other considerations as may appear equitable to the Commission, and are approved by the Lieutenant-Governor-in-Council.

8. If at any time any other Municipal Corporation, or pursuant to said Act, any railway or distributing company, or any other corporation, or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the Corporation, in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants, as to the price to be paid for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor-in-Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application without the written consent of such corporation.

In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a municipal corporation, shall be computed as part of the quantity supplied to such corporation, but such corporation shall not be liable for payment for any portion of the power supplied. No power shall be supplied by the municipal corporation to any railway or distributing company without the written consent of the Commission, but the Corporation may sell power to any person or manufacturing companies within the limits of the Corporation, but such power shall not be sold for less than cost, neither shall there be any discrimination as regards price and quantity.

9. If differences arise between corporations to which the Commission is supplying power, the Commission may, upon application, fix a time and place and hear all representations that may be made by the parties, and the Commission shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under the *Act respecting Enquiries concerning Public Matters*.

10. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof, the Commission and the Corporation have, respectively, affixed their corporate seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman.*

W. W. POPE, *Secretary.*

MUNICIPAL CORPORATION OF THE TOWN OF CHESLEY.

C. J. HALLIDAY, *Mayor.*

H. S. SANDERSON, *Clerk.*

SCHEDULE "C."

This Indenture made in duplicate the day of
in the year of our Lord,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter
called the "Commission," party of the first part;

and

The Municipal Corporation of the Town of Durham hereinafter
called the "Corporation," party of the second part.

Whereas, pursuant to an Act to provide for the transmission of electrical power to municipalities known as the *Power Commission Act* and amendments thereto, the Corporation applied to the Commission for supply of power, and the Commission furnished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power.)

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporation.

(a) To reserve and deliver at the earliest possible date 100 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuously 24-hour power every day in the year to the Corporation at the distribution bus bars in the Commission's substation within the Corporation's limits.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission.

(a)

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually, interest at rate payable by the Commission upon the Corporation's proportionate part, (based on the quantity of electrical energy or power taken), of all monies expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

Also to pay an annual sinking fund instalment of such amount as to form at the end of 30 years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part, based as aforesaid, of all monies advanced by the Province of Ontario, for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations and other work necessary for the delivery of said electrical energy or power, delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, of the cost of lost power and of the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations and other necessary work. Subject to adjustment under Clause 6 of this agreement.

(c) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement, and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent. the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(i) To use at all times first-class, modern, standard commercial apparatus and plant, to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

3. This agreement shall remain in force for thirty years from date of the first delivery of power under this contract.

4. The power shall be alternating, three phase, having a periodicity of approximately 60 cycles per second and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a) That the meters with their series and potential transformers shall be connected at the point of delivery.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the sub-station in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder, and when voltage and frequency are so maintained, the amount of power, its fluctuations, load factor, power factor, distribution as to phases and all other electric characteristics and qualities, are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission shall have the right from time to time during the continuance of this agreement to inspect the apparatus plant and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations for such power and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

If at any time any other Municipal Corporation, or pursuant to said Act, any railway or distributing company, or any other Corporations or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the involved Corporation or Corporations in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions, as may, having regard to the risk and expense incurred, and paid and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a Municipal Corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a Municipal Corporation, the quantity supplied by the Commission within the

Limits of the Corporation to any applicant, other than a Municipal Corporation shall be computed as part of the quantity supplied to such Corporation, but such Corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the Municipal Corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost and there shall be no discrimination as regards price and quantity.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporation or Corporations supplied by the Commission but the Commission shall be entitled to a lien upon said property for all monies expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission, having regard to the amounts paid by them respectively under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between Corporations to which the Commission is supplying power, the Commission may upon application fix a time and place and hear all representations that may be made by the parties and the Commission shall, in a summary manner, when possible, adjust such differences and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a Commissioner appointed under the *Act respecting Enquiries concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

A. BECK, *Chairman*,
W. W. POPE, *Secretary*.
(Seal).

MUNICIPAL CORPORATION OF THE TOWN OF DURHAM.

A. S. HUNTER, *Mayor*.
WM. B. VOLLET, *Clerk*.
(Seal).

SCHEDULE "D."

This indenture made in duplicate the Twenty-fifth day of October, in the year of our Lord, One Thousand Nine Hundred and Fifteen,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called "The Commission," party of the first part;

and

The Municipal Corporation of the Town of Gravenhurst, hereinafter called "The Corporation," party of the second part.

Whereas pursuant to an Act to provide for the transmission of electric power to municipalities, known as *The Power Commission Act*, and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished the Corporation

Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power).

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreements of the Corporation herein set forth, subject to the provisions of the said Act and amendments hereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 300 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing, which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation when called for any additional electrical power then available.

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous 24-hour power every day in the year to the Corporation at the outgoing line bracket on the Commission's generating station at South Falls on the south branch of the Muskoka River.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually to the Commission the Corporation's proportionate part of interest and sinking fund (based on the quantity of electrical energy or power taken) on all moneys expended by the Commission on capital account for the acquiring of properties and rights and acquiring and construction of generating plant and other works necessary for the delivery of said electrical power or energy to the Corporation under the terms of this agreement.

Also to pay annually to the Commission the Corporation's proportionate part (based as above) of the cost of lost power and operating, maintaining, repairing, renewing and insuring the generating plant and other necessary works.

(c) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice discontinue the supply of power to the Corporation until the said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisoes and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement and of the said Acts.

(e) To take electric power exclusively from the Commission during the continuance of this agreement.

(f)

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the greatest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, for twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the greatest amount of power taken for said twenty consecutive minutes falls below 90%, the Corporation shall pay for 90% of said power divided by the power factor.

(i) To use at all times first-class, modern, standard, commercial apparatus and plant approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and the Corporation.

3. This agreement shall remain in force for 16 years from the date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second, and shall be delivered as aforesaid at approximately 6,600 volts.

(a) The meters, with their series and potential transformers, shall be connected at the point of delivery as near as practicable.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the generating station at South Falls on the Muskoka River shall constitute the supply of all power involved herein, and the fulfilment of all operating obligations hereunder, and when the voltage and frequency are so maintained, the amount of the power, its fluctuations, load factor, power factor, distribution as to phases, and all other electrical characteristics and qualities are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations for such power and such interest, sinking fund, cost of lost power, and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

If at any time any other municipal corporation, or, pursuant to said Act, any railway or distributing company, or any other corporation or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and involved corporation or corporations in writing of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without

Without discrimination in favour of the applicants as to the price to be paid for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of said Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of said Municipal Corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a Municipal Corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant other than a Municipal Corporation shall be computed as a part of the quantity supplied to such Corporation, but such Corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the Municipal Corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost, and there shall be no discrimination as regards price and quantity.

7. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission.

8. If differences arise between Corporations to which the Commission is supplying power, the Commission may, upon application, fix a time and place and hear all representations that may be made by the parties, and the Commission shall in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a Commissioner appointed under *The Act Respecting Enquiries Concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the "Commission" and the "Corporation" have respectively affixed their corporate seals and the hand of their proper officers.

Signed, Sealed and delivered this twenty-fifth day of October, 1915, A.D., in the presence of

HYDRO-ELECTRIC POWER COMMISSION.

A. BECK, *Chairman*.
W. W. POPE, *Secretary*.

(Seal)

MUNICIPAL CORPORATION OF THE TOWN OF
GRAVENHURST.

ARCHY. SLOAN, *Mayor*.
W. H. BUTTERWORTH, *Town Clerk*.

(Seal)

SCHEDULE "E."

This Indenture, made in Duplicate the 10th day of March, in the year of our Lord one thousand nine hundred and fifteen (1915).

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called "The Commission," party of the first part;

and

The Municipal Corporation of the Town of Huntsville, hereinafter called "The Corporation," party of the second part.

Whereas pursuant to an Act to provide for the transmission of electric power to municipalities known as the *Power Commission Act* and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the By-laws, authorizing the Corporation to enter into a contract with the Commission for such power).

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 800 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electrical power when called for.

(c) To use at all times first-class, modern, standard commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous twenty-four-hour power every day in the year to the Corporation at the distribution bus bars in the Commission's substation within the Corporation's limits.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver the same.

(b) To pay annually, interest at 4% to 4½% per annum upon the Corporation's proportionate part (based on the quantity of electrical energy or power taken) of all moneys expended by the Commission on capital account for the acquiring of properties and rights, and acquiring the construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of the said electrical power or energy to the Corporation under the terms of this contract.

Also to pay an annual sinking fund instalment of such amount as to form at the end of sixteen years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part

part, based as aforesaid, of all moneys advanced by the Province of Ontario for the acquiring of the properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other work necessary for the delivery of electrical energy or power, delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, on the cost of lost power, and the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations, and other necessary works.

(c) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until the said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos, and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement, and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided, whether it takes the same or not. When the highest amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it for twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest amount of power taken for said twenty consecutive minutes falls below 90% the Corporation shall pay for 90% of said power divided by the power factor.

(i) To use at all times first-class modern, standard, commercial apparatus and plant approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and the Corporation.

3. This agreement shall remain in force sixteen years from the date of the first delivery of power under this contract.

4. The power shall be alternating, three phase, having a periodicity of approximately sixty cycles per second, and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a)

(a) That the meters with their series and potential transformers shall be connected at the point of delivery.

(b) That the maintenance by the Commission of approximately the agreed voltage, at approximately the agreed frequency at the substation in the limits of the Corporation shall constitute the supply of all power involved herein, and the fulfilment of all operating obligations hereunder, and when the voltage and frequency are so maintained, the amount of the power, its fluctuations, load factor, power factor, distribution as to phases, and all other electrical characteristics and qualities are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any person or persons appointed for this purpose by the Commission shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant, property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the municipal corporation or corporations for such power and such interest, sinking fund, cost of lost power, and cost of generating, operating, maintaining, repairing, renewing, and insuring said works.

If at any time any other municipal corporation, or pursuant to said Act, any railway or distributing company, or any other corporation or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and involved corporation or corporations in writing of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of said Corporation will be thereby injuriously affected and no power shall be supplied within the limits of said municipal corporation taking power from the Commission at the time of such application without the written consent of such corporation.

In determining the quantity of power supplied to a municipal corporation the quantity supplied by the Commission within the limits of the corporation to any applicant other than a municipal corporation shall be computed as a part of the quantity supplied to such corporation, but such corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the municipal corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost and there shall be no discrimination as regards price and quantity.

7. It is hereby declared the Commission is to be a trustee of all property held by the Commission under this agreement for the corporation or corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all moneys expended by the Commission under this agreement and not repaid. At the expiration of this agreement, the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission, taking regard to the amounts paid

paid by them respectively under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between corporations to which the Commission is supplying power, the Commission may, upon application, fix a time and place, and hear all representations that may be made by the parties, and the Commission shall in a summary manner when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a Commissioner appointed under the *Act respecting Enquiries Concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and inure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the "Commission" and the "Corporation" have respectively affixed their corporate seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION,

A. BECK, *Chairman*.
W. W. POPE, *Secretary*.

(Seal.)

MUNICIPALITY OF THE TOWN OF HUNTSVILLE.

H. E. RISE, *Mayor*.
J. M. CULLON, *Clerk*.

(Seal.)

SCHEDULE "F."

This Indenture, made the 11th day of September, 1915.

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Town of Markdale, hereinafter called the "Corporation," party of the second part.

Whereas the Corporation under the provisions of the *Power Commission Act* and amendments thereto, Revised Statutes of Ontario, Chapter 39, has applied to the Commission for a supply of power and has passed a by-law No. 265, passed the 30th day of July, 1915, to authorize the execution of an agreement therefor.

Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the parties hereto agree each with the other as follows:

1. The Commission agrees:

(a) To reserve and deliver at the earliest possible date one hundred and fifty (150) horse power, or more, of electrical power to the Corporation.

(b) At the expiration of reasonable notice, in writing, which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c)

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous twenty-four (24) hour power every day in the year to the Corporation at the distribution bus bars in the Commission's substation within the Corporation's limits.

2. The Corporation agrees:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually in twelve (12) equal monthly instalments, interest upon its proportionate part (based on the quantity of electrical energy or power taken) of all moneys expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

To pay an annual sum for its proportionate part of all moneys expended by the Commission on capital account for the acquiring of the said properties and rights, and the cost of the said construction, so as to form in thirty (30) years a sinking fund for the retirement of securities issued by the Province of Ontario.

Also to bear its proportionate part of the line loss and pay its proportionate part of the cost to operate, maintain, repair, renew, and insure the said generating plants, transformer stations, transmission lines, distributing stations, and other necessary works.

All payments under this clause shall be subject to adjustment under paragraph 6.

(c) The amounts payable in accordance with clause 2 (b) shall be paid in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bills remain unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos, and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month exceeds during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute

stitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent., the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(f) To use at all times first-class, modern, standard commercial apparatus and plant, to be approved by the Commission, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

(g) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission and in all other respects to carry out the objects of this agreement, and of the said Act.

3. This agreement shall remain in force for thirty (30) years from the date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second, and shall be delivered as aforesaid at a voltage suitable for local distribution.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant, and property of the Corporation, and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations for such power and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing, and insuring said works.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporations and other municipal corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all moneys expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporations and other municipal corporations, supplied by the Commission, having regard to the amounts paid by them, respectively, under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor-in-Council.

8. If at any time any other municipal corporation, or pursuant to said Act, any railway or distributing company, or any other corporation or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the Corporation, in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favor of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor-in-Council.

No such application shall be granted if the said works, or any part thereof, are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a municipal corporation, shall be computed as part of the quantity supplied to such Corporation, but such Corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the municipal corporation to any railway or distributing company without the written consent of the Commission, but the Corporation may sell power to any person or persons, or manufacturing companies within the limits of the Corporation, but such power shall not be sold for less than cost; neither shall there be any discrimination as regards price and quantity.

9. If differences arise between corporations to which the Commission is supplying power, the Commission may, upon application, fix a time and place and hear all representations that may be made by the parties, and the Commission shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under the *Act respecting Enquiries concerning Public Matters*.

10. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof, the Commission and the Corporation have respectively affixed their Corporate Seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman*.
W. W. POPE, *Secretary*.

(SEAL)

MUNICIPAL CORPORATION OF THE TOWN OF MARKDALE.

R. W. EMIER, *Reeve*.
R. GILFILLAN, *Clerk*.

(SEAL)

SCHEDULE "G."

This Indenture made in duplicate the 15th day of March, in the year of our Lord, 1915.

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Town of Mount Forest, hereinafter called the "Corporation," party of the second part.

Whereas, pursuant to an Act to provide for the transmission of electrical power to municipalities known as the *Power Commission Act* and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished

nished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power.)

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 400 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times first-class, modern, standard commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous 24-hour power every day of the year to the Corporation at the distribution bus bars in the Commission's sub-station within the Corporation's limits.

2. In consideration of the premises and of the agreement herein set forth, the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually, interest at rate payable by the Commission upon the Corporation's proportionate part (based on the quantity of electrical energy or power taken), of all monies expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

Also to pay an annual sinking fund instalment of such amount as to form at the end of 30 years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part, based as aforesaid, of all monies advanced by the Province of Ontario for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations and other work necessary for the delivery of said electrical energy or power, delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, of the cost of lost power and of the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations and other necessary works. Subject to adjustment under Clause 6 of this agreement.

(c) The amount payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from
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the performance of the covenants, provisos and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement, and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent. the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(i) To use at all times first-class, modern, standard commercial apparatus and plant, to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

3. This agreement shall remain in force for thirty years from date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a) That the meters with their series and potential transformers shall be connected at the point of delivery.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the substation in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder, and when voltage and frequency are so maintained, the amount of power, its fluctuations, load factor, power factor, distribution as to phases and all other electric characteristics and qualities, are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations for such power and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

If at any time any other Municipal Corporation, or pursuant to said Act, any railway or distributing company, or any other Corporations or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the involved Corporation or Corporations in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions, as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a Municipal Corporation taking power from the Commission at the time of such application without the written consent of such corporation.

In determining the quantity of power supplied to a Municipal Corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a Municipal Corporation, shall be computed as part of the quantity supplied to such Corporation, but such Corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the Municipal Corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost and there shall be no discrimination as regards price and quantity.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporation or Corporations supplied by the Commission but the Commission shall be entitled to a lien upon said property for all monies expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any), supplied by the Commission, having regard to the amounts paid by them respectively under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between Corporations to which the Commission is supplying power, the Commission may upon application fix a time and place and hear all representations that may be made by the parties and the Commission shall, in a summary manner, when possible, adjust such differences and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a Commissioner appointed under the *Act respecting Enquiries Concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

HYDRÔ-ELECTRIC POWER COMMISSION OF ONTARIO,

A. BECK, *Chairman.*

W. W. POPE, *Secretary.*

(SEAL)

MUNICIPAL CORPORATION OF THE TOWN OF MARKDALE.

T. CLARK, *Mayor.*

W. C. PERRY, *Clerk.*

(SEAL)

SCHEDULE "H."

This indenture made in duplicate the day of ,
in the year of our Lord

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Village of Chatsworth, hereinafter called the "Corporation," party of the second part.

Whereas, pursuant to an Act to provide for the transmission of electrical power to municipalities known as *The Power Commission Act* and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power).

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 75 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous 24-hour power every day in the year to the Corporation at the distribution bus bars in the Commission's substation within the Corporation's limits.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement

agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually interest at rate payable by the Commission upon the Corporation's proportionate part (based on the quantity of electrical energy or power taken) of all monies expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

Also to pay an annual sinking fund instalment of such amount as to form at the end of 30 years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part, based as aforesaid, of all monies advanced by the Province of Ontario for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other work necessary for the delivery of said electrical energy or power delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, of the cost of lost power and of the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations and other necessary works. Subject to adjustment under clause 6 of this agreement.

(c) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisions and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90%

the Corporation shall pay for 90% of said power divided by the power factor.

(i) To use at all times first-class, modern, standard, commercial apparatus and plant, to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

3. This agreement shall remain in force for thirty years from date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second, and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a) That the meters, with their series and potential transformers, shall be connected at the point of delivery.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the substation in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder, and when voltage and frequency are so maintained, the amount of power, its fluctuations, load factor, power factor, distribution as to phases and all other electric characteristics and qualities, are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations for such power, and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

If at any time any other Municipal Corporation, or, pursuant to said Act, any railway or distributing company, or any other Corporations or person applies to the Commission for a supply of power, the Commission shall notify the applicant and the involved Corporation or Corporations in writing of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred and paid and to be paid by the Corporation, appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works, or any part thereof, are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a Municipal Corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a Municipal Corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a Municipal Corporation, shall be computed as part of the quantity supplied to
such

such Corporation, but such Corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the Municipal Corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost, and there shall be no discrimination as regards price and quantity.

7. It is hereby declared that the Commission is, to be a trustee of all property held by the Commission under this agreement for the Corporation or Corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all monies expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission, having regard to the amounts paid by them respectively under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between Corporations to which the Commission is supplying power, the Commission may, upon application, fix a time and place and hear all representations that may be made by the parties, and the Commission shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a Commissioner appointed under *The Act Respecting Enquiries Concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(SEAL)

J. B. LUCAS, *Vice-Chairman*.
W. W. POPE, *Secretary*.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(SEAL)

WM. BREESE, *Reeve*.
W. G. REILLY, *Clerk*.

SCHEDULE "I."

This Indenture made in duplicate the 1st day of March in the year of our Lord 1915,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Village of Dundalk, hereinafter called the "Corporation," party of the second part.

Whereas, pursuant to an Act to provide for the transmission of electrical power to municipalities, known as the *Power Commission Act* and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power).

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and Amendments thereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 200 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing, which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous 24-hour power every day in the year to the Corporation at the distribution bus bars in the Commission's sub-station within the Corporation's limits.

2. In consideration of the premises and of the agreements herein set forth the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually, interest at rate payable by the Commission upon the Corporation's proportionate part (based on the quantity of electrical energy or power taken), of all monies expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract;

Also to pay an annual sinking fund, instalment of such amount as to form at the end of 30 years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part, based

as aforesaid, of all monies advanced by the Province of Ontario for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations and other work necessary for the delivery of said electrical energy or power, delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, of the cost of lost power and of the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations and other necessary works. Subject to adjustment under clause 6 of this agreement.

(c) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisions and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month;

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent., the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(i) To use at all times first-class, modern, standard, commercial apparatus and plant, to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

3. This agreement shall remain in force for thirty years from date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a)

(a) That the meters with their series and potential transformers shall be connected at the point of delivery.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the sub-station in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder, and when voltage and frequency are so maintained, the amount of power, its fluctuations, load factor, power factor, distribution as to phases and all other electric characteristics and qualities, are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant, and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or corporations for such power and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

If at any time any other municipal corporation, or pursuant to said Act, any railway or distributing company, or any other corporations or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the involved Corporation or corporations in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application without the written consent of such corporation.

In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a municipal corporation, shall be computed as part of the quantity supplied to such corporation, but such corporation shall not be liable for payment for any portion of the power supplied. No power shall be supplied by the municipal corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost, and there shall be no discrimination as regards price and quantity.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporation or corporations supplied by the Commission, but the Commission shall be entitled to a lien upon the said property for all monies expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission, having regard to the amounts paid by them respectively under the terms of this agreement, and such other considerations as may appear equitable to the

the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between corporations to which the Commission is supplying power, the Commission may upon application fix a time and place and hear all representations that may be made by the parties and the Commission shall, in a summary manner, when possible, adjust such differences and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under the *Act respecting Enquiries concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman*.

W. W. POPE, *Secretary*.

(SEAL.)

THE MUNICIPAL CORPORATION OF THE VILLAGE OF
DUNDALK.

JOHN SINCLAIR, *Reeve*.

M. N. RINLEY, *Clerk*.

(SEAL.)

SCHEDULE "J."

This Indenture made in duplicate the day of , in the
year of our Lord

Between

The Hydro-Electric Power Commission of Ontario, hereinafter
called the "Commission," party of the first part;

and

The Municipal Corporation of the Village of Flesherton, here-
inafter called the "Corporation," party of the second part.

Whereas, pursuant to an Act to provide for the transmission of electrical power to municipalities known as *The Power Commission Act* and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power).

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 75 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing which may be given by the Corporation from time to time during the continuance

tinuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous twenty-four hour power every day in the year to the Corporation at the distribution bus bars in the Commission's sub-station within the Corporation's limits.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:—

(a) To use all diligence by every lawful means within its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver the same.

(b) To pay annually interest at rate payable by the Commission upon the Corporation's proportionate part (based on the quantity of electrical energy or power taken), of all moneys expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

Also to pay an annual sinking fund instalment of such amount as to form at the end of thirty years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part, based as aforesaid, of all moneys advanced by the Province of Ontario for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines distributing stations, and other work necessary for the delivery of said electrical energy or power, delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, of the cost of lost power and of the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations and other necessary works. Subject to adjustment under Clause 6 of this agreement.

(c) The amounts payable under this contract shall be paid in twelve monthly instalments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided

vided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month;

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90%, the Corporation shall pay for 90% of said power divided by the power factor.

(i) To use at all times first-class, modern, standard, commercial apparatus and plant, to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

3. This agreement shall remain in force for thirty years from date of the first delivery of power under this contract.

4. The power shall be alternating, three phase, having a periodicity of approximately sixty cycles per second and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a) That the meters with their series and potential transformers shall be connected at the point of delivery.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the substation in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder, and when voltage and frequency are so maintained, the amount of power, its fluctuations, load factor, power factor, distribution as to phases and all other electric characteristics and qualities, are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the municipal corporation or corporations for such power and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

If at any time any other municipal corporation, or pursuant to said Act, any railway or distributing company, or any other corporations or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the involved corporation or corporations in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant other than a municipal corporation, shall be computed as part of the quantity supplied to such corporation, but such corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the municipal corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost and there shall be no discrimination as regards price and quantity.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the corporation or corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all moneys expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission, having regard to the amounts paid by them respectively under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between Corporations to which the Commission is supplying power, the Commission may upon application fix a time and place and hear all representations that may be made by the parties, and the Commission shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under *The Act respecting Enquiries Concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman*.
W. W. POPE, *Secretary*.

MUNICIPAL CORPORATION OF THE VILLAGE OF
FLESHERTON.

D. McTAVISH, *Reeve*.
W. J. BELLAMY, *Village Clerk*.

SCHEDULE "K."

This Indenture made in duplicate the day of
in the year of our Lord

Between

The Hydro-Electric Power Commission of Ontario, hereinafter
called the "Commission," party of the first part,

and

The Municipal Corporation of the Village of Shelburne, herein-
after called the "Corporation," party of the second part.

Whereas, pursuant to an Act to provide for the transmission of electrical power to municipalities known as the *Power Commission Act* and amendments thereto, the Corporation applied to the Commission for a supply of power, and the Commission furnished the Corporation with estimates of the total cost of such power, ready for distribution within the limits of the Corporation (and the electors of the Corporation assented to the by-laws authorizing the Corporation to enter into a contract with the Commission for such power). -

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and Amendments thereto, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 300 h.p. or more of electrical power to the Corporation.

(b) At the expiration of reasonable notice in writing which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for.

(c) To use at all times, first-class, modern, standard commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) To deliver commercially continuous 24-hour power every day in the year to the Corporation at the distribution bus bars in the Commission's sub-station within the Corporation's limits.

2. In consideration of the premises and of the agreement herein set forth, the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually, interest at rate payable by the Commission upon the Corporation's proportionate part (based on the quantity of electrical energy or power taken), of all monies expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

Also to pay an annual sinking fund instalment of such amount as to form at the end of 30 years, with accrued interest, a sinking fund sufficient to repay the Corporation's proportionate part, based

as aforesaid, on all monies advanced by the Province of Ontario for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations and other work necessary for the delivery of said electrical energy or power, delivered to the Corporation under the terms of this contract. Also to pay the Corporation's proportionate part, based as aforesaid, of the cost of lost power and the cost of operating, maintaining, repairing, renewing and insuring said generating plants, transformer stations, transmission lines, distributing stations and other necessary works. Subject to adjustment under Clause 6 of this agreement.

(c) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electric power exclusively from the Commission during the continuance of this agreement.

(e) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement, and of the said Act.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided whether it takes the same or not. When the highest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

(g) If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

(h) When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent. the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(i) To use at all times first-class, modern, standard commercial apparatus and plant, to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

3. This agreement shall remain in force for thirty years from date of the first delivery of power under this contract.

4. The power shall be alternating, three phase, having a periodicity of approximately 60 cycles per second and shall be delivered as aforesaid at a voltage suitable for local distribution.

(a)

(a) That the meters with their series and potential transformers shall be connected at the point of delivery.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the sub-station in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder, and when voltage and frequency are so maintained, the amount of power, its fluctuations, load factor, power factor, distribution as to phases and all other electric characteristics and qualities, are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property of the Corporation and take records at all reasonable hours.

6. The Commission shall at least annually adjust and apportion the amount or amounts payable by the Municipal Corporation or Corporations for such power and such interest, sinking fund, cost of lost power and cost of generating, operating, maintaining, repairing, renewing and insuring said works.

It at any time any other Municipal Corporation, or pursuant to said Act, any railway or distributing company, or any other Corporations or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the involved Corporation or Corporations in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works or any part thereof are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a Municipal Corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a Municipal Corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a Municipal Corporation, shall be computed as part of the quantity supplied to such Corporation, but such Corporation shall not be liable for payment for any portion of the power so supplied. No power shall be supplied by the Municipal Corporation to any railway or distributing company without the written consent of the Commission. Power shall not be sold for less than the cost and there shall be no discrimination as regards price and quantity.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporation or Corporations supplied by the Commission but the Commission shall be entitled to a lien upon said property for all monies expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation and any other (if any) supplied by the Commission, having regard to the amounts paid by them respectively under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

8. If differences arise between Corporations to which Commission is supplying power, the Commission may, upon application, fix a time and place and hear all representations that may be made by the parties and the Commission shall, in a summary manner, when possible, adjust such differences and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a Commissioner under the *Act respecting Enquiries concerning Public Matters*.

9. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman*.
W. W. POPE, *Secretary*.

MUNICIPAL CORPORATION OF THE VILLAGE OF
SHELBURNE.

HUGH FALCONER, *Reeve*.

Witness:

THOS. WHALLEY, *Clerk*.

SCHEDULE "L."

This Indenture made (in duplicate) the twenty-sixth day of August, in the year of our Lord one thousand nine hundred and fifteen,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Village of Victoria Harbour, hereinafter called the "Corporation," party of the second part.

Whereas, pursuant to *An Act to provide for transmission of Electrical Power to Municipalities*, the Corporation applied to the Commission for a supply of power, and the electors of the Corporation assented to a by-law authorizing the Corporation to enter into a contract with the Commission for such power.

1. Now therefore this indenture witnesseth that in consideration of the premises and of the agreements of the Corporation herein set forth, subject to the provisions of said Act and of the said contract, the Commission agrees with the Corporation:

(a) To reserve and deliver at the earliest possible date 50 h.p. or more of electric power to the Corporation.

(b) At the expiration of thirty days' notice in writing which may be given by the Corporation from time to time, during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for in blocks of 25 h.p. each up to the limit of the capacity of the Big Chute's Power Development;

(c) To use at all times first-class, modern, standard, commercial apparatus and plant, and to exercise all due skill and diligence so as

as to secure satisfactory operation of the plant and apparatus of the Corporation.

(d) The power shall be delivered to the Corporation at approximately 2,200 volts and at approximately sixty cycles per second.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement so as to be able to receive power when the Commission is ready to deliver same.

(b) Subject to the provisions of paragraph 2 (f) hereof, to pay the Commission sixteen dollars and fifty cents (\$16.50) per h.p. per annum for all power taken by the Corporation at the interswitching structure located on the Commission's transmission lines at the Village of Waubauskene.

Nothing herein contained shall bind the Commission to supply power on the demand of the Corporation after the capacity of the Big Chute's plant has been reached, unless the Commission has power available or capable of development.

(c) To pay in addition annually, interest (at the same rate as paid by the Commission) upon the moneys expended by the Commission on capital account for the construction of transmission lines, the transformer station and equipment, and all other necessary works required for the delivery of power and transforming it from 22,000 to 2,200 volts.

Also to pay an annual part of the cost of the construction of said line, station and works so as to form in thirty years a sinking fund for the repayment of the moneys advanced by the Province of Ontario, in connection with this work.

Also to pay the Corporation's proportionate part of the cost of lost power, of operating, maintaining, repairing, renewing and insuring the said line, station and works.

(d) The amounts payable under this contract shall be paid in twelve monthly payments, in gold coin of the present standard of weight and fineness, at the office of the Commission at Toronto, and bills shall be rendered by the Commission on or before the 5th day and paid by the Corporation on or before the 15th day of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(e) To take electric power exclusively from the Commission during the continuance of this agreement.

(f) To pay for three-fourths of the power ordered from time to time by the Corporation and held in reserve for it as herein provided, whether it takes the same or not. When the greatest average amount of power taken for any twenty consecutive minutes during any month shall exceed during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

If the Corporation during any month takes more than the amount of power ordered and held in reserve for it for twenty consecutive minutes

minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve an additional block of power in accordance with the terms and conditions of this contract.

When the power factor of the greatest amount of power taken for said twenty consecutive minutes falls below 90%, the Corporation shall pay for 90% of said power divided by the power factor.

(g) To use at all times first-class, modern, standard commercial apparatus and plant, approved by the Commission.

(h) To exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and the Corporation.

3. This agreement shall remain in force until the date of expiration of the lease to the water rights on the Severn River of the Big Chute development, that is to say, until the tenth (10th) day of September in the year nineteen hundred and twenty-nine; providing the said lease is renewed by the Commission, then this agreement shall remain in force for thirty (30) years from the date of the first delivery of power thereunder.

4. The power shall be approximately 2,200 volts, 60 cycle, 3 phase, alternating commercially continuous twenty-four hour power every day in the year except as provided herewith, and shall be delivered by the Commission to the Corporation at the 2,200 volt terminals of the step-down transformers in the substation in the Corporation limits.

(a) That the meters with their series or potential transformers may be connected to the high tension side or low tension side of the transformers, or some connected to one side and some connected to the other, as the Commission may elect. That whenever connected at other than the point of measurement, their readings shall be subject to a correction and shall be corrected to give a reading such as would be obtained by instruments as if connected at the point of measurement. That such corrections shall be based upon tests made upon the step-down transformers and transmission lines by the Commission, or any other tests upon them acceptable to the Commission as to the efficiency, regulation, or any other constants of the transformers and transmission lines necessary for said correction, but that such tests, when made by the Commission, are to be made in the presence of the representatives or representative of the customer if it so desires.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the substation in the limits of the Corporation shall constitute the supply of all power involved herein and the fulfilment of all operating obligations hereunder; and when voltage and frequency are so maintained, the amount of the power, its fluctuations, load factor, power factor, distribution as to phases, and all other electric characteristics and qualities are under the sole control of the Corporation, their agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant and property of the Corporation and take records at all reasonable hours.

6. In case the Commission should at any time or times be prevented from supplying said power, or any part thereof, or in case the Corporation shall at any time be prevented from taking said power, or any part thereof, by strike, lock-out, fire, invasion, explosion,

plosion, act of God, or the King's enemies, or any other cause reasonably beyond their control, then the Commission shall not be bound to deliver such power during such times, and the Corporation shall not be bound to pay the price of said power during such time, but as soon as the cause of such interruption is removed, the Commission shall without any delay supply said power as aforesaid, and the Corporation shall take the same and shall be prompt and diligent in removing and overcoming such cause or causes of interruption.

7. If at any time any other municipal corporation, or pursuant to said Act, any railway or distributing company, or any other corporation or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the Corporation in writing, of a time and place, and hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid, for equal quantity of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said line is not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant other than a municipal corporation, shall be computed as part of the quantity supplied to such corporation, but such corporation shall not be liable to pay for the power so supplied, or otherwise in respect thereof. In order to prevent discrimination by the municipal corporation, no power shall be supplied by the municipal corporation to any railway or distributing company or person outside the corporation without the written consent of the Commission, but the Corporation may sell power to any person or persons or manufacturing companies inside the limits of the corporation, but such power shall not be sold for less than the cost and without discrimination as regards price and quantity.

8. If differences arise between corporations to whom the Commission is supplying power, the Commission may upon application fix a time and place to hear all representations that may be made by the parties, and the Commission shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the power that may be conferred upon a commission appointed under *The Act respecting Enquiries Concerning Public Matters*.

9. If differences arise between the Corporation and the Commission, the Lieutenant-Governor in Council may, upon application, fix a time and place to hear all representations that may be made by the parties, and the Lieutenant-Governor in Council shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Lieutenant-Governor in Council shall have all the powers that may be conferred upon a commission appointed under *The Act respecting Enquiries Concerning Public Matters*.

10. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman.*

W. W. POPE, *Secretary.*

THE MUNICIPAL CORPORATION OF THE VILLAGE OF
VICTORIA HARBOUR.

JEROME DUCKWORTH, *Reeve.*

E. B. BROWNE, *Clerk.*

(SEAL.)

SCHEDULE "M."

This Indenture made this eleventh day of October, one thousand nine hundred and fifteen,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," party of the first part;

and

The Municipal Corporation of the Police Village of Holstein, hereinafter called the "Corporation," party of the second part.

Whereas the Corporation under the provisions of the *Power Commission Act* and amendments thereto, Revised Statutes of Ontario, Chapter 39 has applied to the Commission for a supply of power, and has passed a by-law No. 304, passed the 10th day of August, 1915, to authorize the execution of an agreement therefor.

Now therefore this indenture witnesseth that in consideration of the premises and of the agreement of the Corporation herein set forth, subject to the provisions of the said Act and amendments thereto, the parties hereto agree each with the other as follows:

1. The Commission agrees:

(a) To reserve and deliver at the earliest possible date fifty (50) horse power, or more, of electrical power to the Corporation;

(b) At the expiration of reasonable notice, in writing, which may be given by the Corporation from time to time during the continuance of this agreement, to reserve and deliver to the Corporation additional electric power when called for;

(c) To use at all times first-class, modern, standard commercial apparatus and plant, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Corporation;

(d) To deliver commercially continuous twenty-four (24) hour power every day in the year to the Corporation at the distribution bus bars in the Commission's sub-station within the Corporation's limits.

2. The Corporation agrees:

(a) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power dealt with by this agreement

ment so as to be able to receive power when the Commission is ready to deliver same.

(b) To pay annually in twelve (12) equal monthly instalments, interest upon its proportionate part, (based on the quantity of electrical energy or power taken) of all moneys expended by the Commission on capital account for the acquiring of properties and rights, the acquiring and construction of generating plants, transformer stations, transmission lines, distributing stations, and other works necessary for the delivery of said electrical energy or power to the Corporation under the terms of this contract.

To pay an annual sum for its proportionate part of all moneys expended by the Commission on capital account for the acquiring of the said properties and rights, and the cost of the said construction, so as to form in thirty (30) years a sinking fund for the retirement of securities issued by the Province of Ontario.

Also to bear its proportionate part of the line loss, and pay its proportionate part of the cost to operate, maintain, repair, renew, and insure the said generating plants, transformer stations, transmission lines, distributing stations, and other necessary works.

All payments under this clause shall be subject to adjustment under paragraph 6.

(c) The amounts payable in accordance with clause 2 (b) shall be paid in gold coin of the present standard of weight and fineness, at the offices of the Commission at Toronto. Bills shall be rendered by the Commission on or before the 5th day, and paid by the Corporation on or before the 15th day of each month. If any bills remain unpaid for fifteen days, the Commission may, in addition to all other remedies, and without notice, discontinue the supply of power to the Corporation until said bill is paid. No such discontinuance shall relieve the Corporation from the performance of the covenants, provisos and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(d) To take electrical power exclusively from the Commission during the continuance of this agreement.

(e) To pay for three-fourths of the power ordered from time to time by the Corporation, and held in reserve for it, as herein provided; whether it takes the same or not. When the highest average amount of power taken for any twenty (20) consecutive minutes during any month exceeds during the twenty consecutive minutes three-fourths of the amount ordered by the Corporation and held in reserve, then the Corporation shall pay for this greater amount during the entire month.

If the Corporation during any month takes more than the amount of power ordered and held in reserve for it, as determined by an integrated peak, or the highest average, for a period of twenty consecutive minutes, the taking of such excess shall thereafter constitute an obligation on the part of the Corporation to pay for, and on the part of the Commission to hold in reserve, such increased quantity of power in accordance with the terms and conditions of this contract.

When the power factor of the highest average amount of power taken for said twenty consecutive minutes falls below 90 per cent. the Corporation shall pay for 90 per cent of said power divided by the power factor.

(f) To use at all time first-class, modern standard commercial apparatus and plant, to be approved by the Commission, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Corporation.

(g)

(g) To co-operate by all means in its power at all times with the Commission to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement, and of the said Act.

3. This agreement shall remain in force for thirty (30) years from the date of the first delivery of power under this contract.

4. The power shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second, and shall be delivered as aforesaid at a voltage suitable for local distribution.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance of this agreement to inspect the apparatus, plant, and property of the Corporation, and take records at all reasonable hours.

6. The Commission shall, at least annually, adjust and apportion the amount or amounts payable by the Municipal Corporation, or corporations, for such power and such interest, sinking fund, cost of lost power, and cost of generating, operating, maintaining, repairing, renewing, and insuring said works.

7. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement for the Corporations and other municipal corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all moneys expended by the Commission under this agreement and not repaid. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporations and other municipal corporations, supplied by the Commission, having regard to the amounts paid by them, respectively, under the terms of this agreement, and such other considerations as may appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

8. If at any time any other municipal corporation, or pursuant to said Act, any railway or distributing company, or any other corporation, or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the Corporation, in writing, of a time and place to hear all representations that may be made as to the terms and conditions for such supply.

Without discrimination in favour of the applicants as to the price to be paid for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred and paid, and to be paid by the Corporation, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

No such application shall be granted if the said works, or any part thereof, are not adequate for such supply, or if the supply of the Corporation will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application without the written consent of such Corporation.

In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a municipal corporation shall be computed as part of the quantity supplied to such corporation, but such corporation shall not be liable for payment for any portion of the power supplied. No power shall be supplied by the municipal corporation to any railway or distributing company without the written consent of the Commission, but the Corporation may sell power to any person or persons, or manufacturing

manufacturing companies within the limits of the Corporation, but such power shall not be sold for less than cost, neither shall there be any discrimination as regards price and quantity.

9. If differences arise between corporations to which the Commission is supplying power, the Commission may, upon application, fix a time and place and hear all representations that may be made by the parties, and the Commission shall, in a summary manner, when possible, adjust such differences, and such adjustment shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under the *Act respecting Enquiries concerning Public Matters*.

10. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have, respectively, affixed their corporate seals, and the hands of their proper officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman*.
W. W. POPE, *Secretary*.

(SEAL.)

MUNICIPAL CORPORATION OF THE POLICE VILLAGE OF
HOLSTEIN.

RICHARD IRWIN, *Chairman*.
R. M. TRIBE, *Inspecting Trustee*.
L. B. NICHOLSON, *Secretary*.

(SEAL.)

SCHEDULE "N."

This Indenture made this first day of November, A.D. one thousand nine hundred and fourteen.

Between

The Hydro-Electric Power Commission of Ontario, acting herein on its own behalf and with the approval of the Lieutenant-Governor in Council, (hereinafter called the Commission), party of the first part,

and

The Municipal Corporation of the Police Village of Williamsburg (hereinafter called the Corporation), party of the second part.

Whereas pursuant to *An Act to Provide for Transmission of Electrical Power to Municipalities*, and the amendments thereto, the Corporation applied to the Commission to transmit and supply such power, and the Commission has entered into contracts with a company or companies for the supply of such power at the prices set forth in the schedule, hereto attached, and the Commission has furnished the Corporation with estimates, as shown in the schedule of the total cost of such power, and the electors of the Corporation assented to by-laws authorizing the Corporation to enter into a contract with the Commission for such power, and the Commission have estimated the line loss and the cost to construct, operate, maintain, repair, renew and insure a line to transmit such power to the Corporation, and have apportioned the part of such cost to be paid by each Corporation as shown in said schedule;

Now

Now therefore this indenture witnesseth that in consideration of the premises and of the agreements of the Corporation herein set forth, subject to the provisions of said Act and the amendments thereto, and of the said contracts subject to any variations thereof by the Corporation, the Commission agrees with the Corporation respectively:

1. (a) To construct a line to transmit the quantities of electric power, shown in column 2 of the said schedule, to the Corporation shown in column 1 respectively.

(b) On the 15th day of May, 1915, or on any earlier day on which the Commission shall be prepared to supply said power in quantities set forth in column 2 of said schedule, to the Corporation within the limits thereof, ready for distribution at approximately the number of volts set forth in column 4 of the said schedule, and approximately 60 cycles per second frequency.

(c) At the expiration of three months' written notice, which may be given by the Corporation from time to time during the continuance of this agreement, to supply from time to time to the Corporation in blocks of not less than 10 horse power each, additional power until the total amount so supplied shall amount to 15,000 horse power, or such further amount as the Commission may be able and willing to supply.

(d) To use at all times first-class, modern, standard commercial apparatus and plant and to exercise all due skill and diligence so as to secure the most perfect operation of the plant and apparatus of the Corporation.

In consideration of the premises and of the agreements herein set forth each of the Corporations for itself, and not one for the other, agrees with the Commission:

2. (a) Subject to the provisions of paragraph 2 (g) hereof, to pay to the Commission for the quantities of power shown in column 2 of said schedule to be supplied as aforesaid from the date when the Commission notifies the Corporation that it is ready to supply such power, and for all additional power held in reserve upon any of the above mentioned notices from the respective dates thereof until the termination of this agreement, the price set forth in column 3 of said schedule in twelve monthly payments, in gold coin of the present standard of weight and fineness, and bills shall be rendered by the Commission on or before the fourth and paid by the Corporation on or before the fifteenth of each month. If any bill remains unpaid for fifteen days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of such power to the Corporation in default until said bill is paid. No such discontinuance shall relieve the Corporation in default from the performance of the covenants, provisoes, and conditions herein contained. All payments in arrears shall bear interest at the legal rate.

(b) To take electric power exclusively from the Commission during the continuance of this agreement; provided, if the Commission is unable to supply said power as quickly as required, the Corporation may obtain the supply otherwise until the Commission has provided such supply, thereupon the Corporation shall immediately take from the Commission; and the Corporation may generate, store or accumulate electric power for emergencies, or to keep down the peak load of the power taken from the Commission; and nothing herein contained shall affect existing contracts between the Corporation and other parties for a supply of electric power, but the Corporation shall determine said contracts at the earliest possible date.

(c)

(c) To pay, annually, interest at four per cent. per annum upon its proportionate part of the moneys expended by the Commission on capital account for the construction of the said line, transformer stations and other necessary works, shown, respectively, in column 6 of said schedule, subject to adjustment under paragraph 9.

(d) To pay an annual sum for its proportionate part of the cost of the construction of said line, stations, and works, shown, respectively, in column 6 of said schedule, subject to adjustment under paragraph 9, so as to form in thirty years a sinking fund for the retirement of the securities to be issued by the Province of Ontario.

(e) To bear its proportionate part of the line loss and pay its proportionate part of the cost to operate, maintain, repair, renew and insure the said lines, stations and work, shown respectively, in column 7 of said schedule subject to adjustment under paragraph 9.

(f) To keep, observe and perform the covenants, provisoes and conditions set forth in said contracts, intended by the Commission and the company to be kept and observed and performed.

(g) To pay as a minimum for three-fourths of the power to be supplied at said date or of the power held in reserve upon any of the said notices, whether the said power is taken or not; and when the greatest amount of power taken for twenty consecutive minutes in any month shall exceed during such twenty minutes three-fourths of the amount to be supplied and held in reserve to pay for this greater amount during that entire month; the amount payable for a month being one-twelfth part of the annual rate applicable to the horse power in question. When the power factor of the greatest amount of power taken for said twenty minutes falls below 90 per cent., the Corporation shall pay for 90 per cent. of said power divided by the power factor.

(h) To take no more power than the amount to be supplied and held in reserve at said date and upon said notices, as per paragraph 1 (c).

(i) To use at all times first-class, modern, standard, commercial apparatus and plant to be approved by the Commission.

(j) To exercise all due skill and diligence so as to secure the most perfect operation of the plant and apparatus of the Commission and the company.

3. If, as herein provided, the said contracts are continued until nineteen hundred and forty-two (1942) this agreement shall remain in force until that date.

4. (a) Said power shall be three-phase, alternating, commercial continuous twenty-four hour power every day of the year, except as provided in paragraph 6 hereof, and shall be measured by curve-drawing meters, subject to test as to accuracy by either party hereto.

(b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency at the point of delivery to the Corporation shall constitute the supply and the holding in reserve of all power involved herein, and the fulfilment of all operating obligations hereunder; the amount of the power, its fluctuations, load factor, power factor, distribution as to phases, and all other electric characteristics and qualities being under the sole control of the Corporation, its agents, customers, apparatus, appliances and circuits.

5. The engineers of the Commission, or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time during the continuance

tinuance of this agreement to inspect the apparatus, plant and property of the Corporation, and take records at all reasonable times on giving to the Corporation six hours' notice of the intention to make such inspection. The Corporation shall have a like right on giving a like notice to inspect the apparatus, plant and property of the Commission.

6. In case the Commission or the Company shall at any time or times be prevented from supplying said power, or any part thereof, or in case the Corporation shall at any time be prevented from taking said power, or any part thereof, by strike, lock-out, riot, fire, invasions, explosion, act of God, or the King's enemies, or any other cause reasonably beyond their control, then the Commission shall not be bound to deliver such power during such time and the Corporation shall not be bound to pay the price of said power at the point of delivery by the Company during such time, but the Corporation shall continue to make all other payments, but as soon as the cause of such interruption is removed the Commission shall without any delay supply said power as aforesaid, and the Corporation shall take the same and each of the parties hereto shall be prompt and diligent in removing and overcoming such cause or causes of interruption.

7. If, and so often as, any interruption shall occur in the service of the Company due to any cause or causes other than those provided for by the next preceding paragraph hereof, the Commission shall pay to the Corporation as liquidated and ascertained damages, and not by way of penalty, their respective proportionate shares of whatever sum is payable to the Commission by reason of such interruption; and when the amount thereof has been settled, such sum may be deducted from any moneys payable by the Corporation to the Commission, but such right of deduction shall not in any case delay the said monthly payments, nor shall the Commission be subject to any other liability for any non-delivery.

8. In case any municipal corporation, or any person, firm or corporation which shall contract with the Commission or with any municipal corporation for a supply of power furnished to the Commission by the Company shall suffer damages by the act or neglect of the Company, and such municipal corporation, person, firm or corporation would, if the Company had made the said contracts directly with them, have had a right to recover such damages or commence any proceedings or any other remedy, the Commission shall be entitled to commence any such proceedings or bring such action for or on behalf of such municipal corporation, person, firm or corporation, and notwithstanding any Statute, decision or rule of law to the contrary, the Commission shall be entitled to all the rights and remedies of such municipal corporation, person, firm or corporation, including the right to recover such damages, but no action shall be brought by the Commission until such municipal corporation, person, firm or corporation shall have agreed with the Commission to pay any costs that may be adjudged to be paid if such proceedings or action is unsuccessful. The rights and remedies of any such municipal corporation, person, firm or corporation shall not be hereby prejudiced.

9. The Commission shall at least annually adjust and apportion the amounts payable by municipal corporations for such power and such interest, sinking fund, line loss, and cost of operating, maintaining, repairing, renewing and insuring the line and works.

10.—(a) If at any time, any other municipal corporation, or pursuant to said Act, any railway or distributing company or any other corporation or person, applies to the Commission for a supply of power, the Commission shall notify the applicant and the corporation, party hereto, in writing, of a time and place and hear all representations that may be made as to the terms and conditions for such supply.

(b)

(b) Without discrimination in favour of the applicants as to the price to be paid, for equal quantities of power, the Commission may supply power upon such terms and conditions as may, having regard to the risk and expense incurred, and paid, and to be paid by the Corporation, party hereto, appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

(c) No such application shall be granted if the said line is not adequate for such supply, or if the supply of the Corporation, party hereto, will be thereby injuriously affected, and no power shall be supplied within the limits of a municipal corporation taking power from the Commission at the time of such application, without the written consent of such corporation.

(d) In determining the quantity of power supplied to a municipal corporation, the quantity supplied by the Commission within the limits of the Corporation to any applicant, other than a municipal corporation, shall be computed as part of the quantity supplied to such corporation, but such corporation shall not be liable to pay for the power so supplied, by any municipal corporation, to any railway or distributing company, without the written consent of the Commission.

11. It is hereby declared that the Commission is to be a trustee of all property held by the Commission under this agreement, for the Corporation and other municipal corporations supplied by the Commission, but the Commission shall be entitled to a lien upon said property for all moneys expended by the Commission under this agreement and not repaid. At the expiration of this agreement, the Commission shall determine and adjust the rights of the Corporation and other municipal corporations, supplied by the Commission, having regard to the amounts paid by them, respectively, under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

12. Each of the Corporations agree with the other:

(a) To take electric power exclusively from the Commission during the continuance of this agreement, subject to the provisos above set forth in paragraph 2 (b).

(b) To co-operate, by all means in its power, at all times with the Commission, to increase the quantity of power required from the Commission, and in all other respects to carry out the objects of this agreement and of the said Act.

13. If differences arise between the Corporations the Commission may upon application fix a time and place to hear all representations that may be made by the parties and the Commission shall, in a summary manner, when possible, adjust such differences and such adjustments shall be final. The Commission shall have all the powers that may be conferred upon a commission appointed under the *Act respecting Enquiries concerning Public Matters*.

14. This agreement shall extend to, be binding upon and enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals and the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

A. BECK, *Chairman*.

W. W. POPE, *Secretary*.

POLICE VILLAGE OF WILLIAMSBURG.

ORLIN BECKER, *Secretary*.

P. E. BECKSTEAD, *Chairman*.

E. C. MERKLEY, *Inspecting Trustee*.

SCHEDULE

SCHEDULE.

Column 1	2	3	4	5	6	7
Name of Municipal Corporation	Quantity of Power applied for in H.P.	Cost of Power at point of delivery to Com- mission.	No. of Volts.	Estimate maximum cost of power ready for distribution in Municipality.	Estimate proportionate part of cost to con- struct trans. line, transformer station and works for nominally .....H.P., with total capacity of	Estimate proportionate part of line loss and of part cost of to operate, maintain, repair, renew and insure transmission line, trans- former station works for nominally H.P. with a capacity of .....H.P.
Brockville....	1,000 H.P.	Then for all power taken up to 10,000 H.P. or over, \$11.00 per H.P. \$14.00 for not less than 2,000 H.P. Then for all power taken up to 4,000 H.P., \$13.40 per H.P. Then for all power taken up to 6,000 H.P., \$12.50 per H.P. Then for all power taken up to 8,000 H.P., \$12.00 per H.P. Then for all power taken up to 10,000 H.P., \$11.50 per H.P.	13,200	\$24 04	\$76,950 00	\$7,077 00
Prescott.....	300 H.P.		13,200	24 54	30,594 00	1,838 00
Chesterville ..	50 H.P.		4,400	35 00	10,224 00	487 00
Winchester ...	100 H.P.		4,400	24 00	7,280 00	638 00
Williamsburg .	20 H.P.		4,000	34 66 (with- out Sink- ing Fund)	3,522 00	272 00

CHAPTER 20.

An Act respecting the Public Development of
Water Power in the vicinity of Niagara Falls.*Assented to 27th April, 1916.*

WHEREAS the demand for the supply of electrical power or energy in the district which may be served by power from the vicinity of Niagara Falls has so greatly increased that in order to obtain an adequate supply to meet the present and future demands of the municipalities interested or that may be interested, it is necessary that new sources of power should be developed; and whereas the existing development works at Niagara Falls are inadequate for the development and supply of the required amount of power, the quantity of power now generated by them and available for use in Canada being exhausted; and whereas it is desirable that the work of development should be carried on upon an adequate scale in order to utilize to the fullest possible extent the available supply of water which may be diverted from the Niagara River under the terms of the treaty between the United States of America and His Majesty, the King; and whereas the Hydro-Electric Power Commission of Ontario, after investigation by its engineers, has reported to the Government upon a scheme for the development of a supply of power from the Niagara River and its tributaries, and has prepared estimates of the cost thereof; and whereas there has been a general demand upon the part of the inhabitants of the said municipalities that the Government of Ontario should develop, through the Commission, power sufficient to meet the present and future requirements of the municipalities which it is possible to serve from the neighbourhood of Niagara Falls, and that in the meantime the Commission should procure on the best terms available such additional power as may be necessary to supply the requirements of the municipalities and furnish the same to the municipalities at the average cost of all the power supplied to the municipalities under Contract with the Commission; and whereas it is desirable that

Preamble.

that the said work of development should be undertaken and carried out as economically, efficiently, and expeditiously as possible, taking into consideration the financial and other conditions arising out of the present war, and to this end that it should be conducted by the Commission, and under the authority and direction of the Government of Ontario, acting for and on behalf of the municipalities which may be supplied with power from such development;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Ontario Niagara Development Act*.

Interpretation. **2.** In this Act—

“Commission.” (a) “Commission” shall mean Hydro-Electric Power Commission of Ontario;

“Government.” (b) “Government” shall mean Lieutenant-Governor in Council, acting for and on behalf of the Province of Ontario;

Powers which the Crown may confer upon the Commission. **3.** The Government may authorize the Commission to—

Entering on and laying out land. (a) Enter upon, survey and lay out, all such lands, water, water privileges and water powers as may be required for the construction of the works hereinafter mentioned;

Acquiring options and making contracts for purchase of lands. (b) Acquire options upon and enter into preliminary contracts for the purchase of land for sites, right-of-way, the location of buildings, plant, works, machinery and appliances required for the works hereinafter mentioned;

Constructing works, etc. (c) Construct, erect, maintain and operate works for the purpose of diverting the waters of the Niagara River, Welland River, and tributary waters, or any of them, and conveying the same by aqueduct, conduit or canal, or in any other manner, from any point on the Welland River, or on the Niagara River, above the Cataract, and discharging such waters into the Niagara River;

(d)

(d) Construct, erect, maintain and operate at or in the vicinity of such place of discharge, works, plant, machinery and appliances, for the use of the waters so taken and diverted in the development of a water power for the production of electrical or pneumatic power or energy; Development works

(e) For such purposes, exercise all powers and enforce all rights which may be exercised and enforced by the Commission when taking land or other property in the exercise of powers conferred by or under *The Power Commission Act*. General powers.
Rev. Stat. c. 39.

4.—(1) The cost of the construction and maintenance of the works authorized by this Act shall be defrayed out of such money as may, from time to time, be appropriated by the Legislature for that purpose, and the works which may be authorized under section 3 shall be carried out and constructed as far as possible in such a manner that an appropriation made in any one fiscal year shall not be exceeded by the cost of the work to be carried out in that year. Cost to be defrayed out of appropriation.

(2) The Government may direct the Treasurer of Ontario from time to time to pay over to the Commission out of such sums, any sums which may be required to defray the cost of the works carried on by the Commission under this Act, and all such sums shall be duly accounted for as hereinafter provided. Payments to Commission.

5.—(1) Upon receiving the authority provided for by section 4, the Commission shall open an account to be styled "The Niagara Power Development Works Account," and such account shall contain an accurate and detailed statement:— Special account to be opened.

(a) Of all sums received by the Commission from the Government, for the purposes of the works hereby authorized; and

(b) An accurate and detailed statement of the cost of the work, including the services of the engineers, surveyors, and other officers of the Commission, and such proportion of the expenses of the administration of the Commission as may be fixed by Order-in-Council as fairly chargeable to the works undertaken and operated under the provisions of this Act.

Auditors.

(2) The Government may appoint an auditor whose duty it shall be, by himself or his deputy, to examine, check and audit all accounts chargeable against the account mentioned in subsection 1, and certify them before payment thereof, and the auditor or his deputy shall countersign all cheques issued against the said account.

Annual audit.

(3) The account shall be examined and audited at least once in and for every fiscal year by a chartered accountant nominated by the Government, who shall make his report to the Government thereon.

Annual statement to Assembly.

(4) The Government shall cause a full and detailed statement of the operations carried on under the authority of this Act, and of all the receipts and expenditures on account thereof, during the last preceding fiscal year, together with the report mentioned in subsection 3, to be laid before the Assembly within fifteen days after the opening of each session.

Provisional arrangements for supply.

6.—(1) Until an adequate supply of power from the works authorized by this Act can be developed and transmitted to the municipalities, the Commission, with the approval of the Government, may procure upon the best terms available a supply of such additional power as may be necessary to meet the requirements of the municipalities over and above the 100,000 h.p. supplied under the terms of the contract heretofore entered into between the municipalities and the Commission, and such additional power shall be furnished to the municipalities at the average cost of all the power supplied to the municipalities under contract with the Commission for the supply of power from Niagara Falls and the vicinity.

Additional cost—adjustment of.

(2) The additional cost to the municipalities of the power procured under the authority of section 1, shall be included in the price per h.p. payable by a municipal corporation under the terms of the contract entered into with the Commission, and shall be annually adjusted and apportioned by the Commission as provided by *The Power Commission Act*.

Rev. Stat. c. 39.

Extent of operation of Act.

7. The exercise of the powers, which may be conferred by or under the authority of this Act or of any of them, shall not be deemed to be a making use of the waters of the Niagara River to generate electric or pneumatic power within the meaning of any stipulation or condition contained in any agreement entered into by the Commissioners for the Queen Victoria Niagara Falls Park.

CHAPTER 21.

An Act to regulate the use of the Waters of the Province of Ontario for Power Development Purposes.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Water Powers Regulation Act, 1916.* Short title.

2. In this Act,

Interpre-
tation.

(a) "Power" shall mean and include hydraulic, electrical, or pneumatic power or energy; "Power."

(b) "Owner of a water power" shall mean and include every municipal corporation, company, firm or individual being or claiming to be the owner, lessee, licensee, occupant, tenant, or assignee of a right to use any of the waters of Ontario for the purpose of generating hydraulic, electrical, or pneumatic power or energy under any grant, lease or license from the Crown, or any person, or under contract with, or franchise from any public body representing the Crown or the Province of Ontario or under the general law or any special Act of this Legislature or otherwise; "Owner of
a water
power."

(c) "Inspector" shall mean a commission, public body, or person designated by the Lieutenant-Governor in Council to act as Inspector under this Act, and shall include the officers, agents and servants of the Inspector employed and acting under the authority and direction of such Inspector;

(d)

"Works."

- (d) "Works" shall mean and include every dam, wing dam, forebay, gate, rack, canal, conduit, pipe, aqueduct, penstock, tunnel, and every other work which has been or may be constructed or used for or in connection with the control or diversion of water and the conveying of it to a power house or other place at which power may be generated; and all buildings, structures, plant, machinery, appliances and other works and things now or hereafter used for or appurtenant to the production and generation of power;

"Regulations."

- (e) "Regulations" shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Act.

Duty of owner as to use of water.

3. It shall be the duty of every owner of a water power to ensure as far as possible the economical and efficient use of the water used by him.

Appointment of Inspector.

4. The Lieutenant-Governor in Council may appoint an Inspector or Inspectors who may, in addition to the powers hereinafter mentioned when required by the Lieutenant-Governor in Council so to do,

Inspection.

- (a) At all reasonable times enter upon any works, and examine and inspect the same;

Measurements and tests.

- (b) Take such measurements and tests as may be necessary from time to time in order to determine or to fix, as the case may be, in respect of the owner of any water power:

(i) The quantity of water used, permitted to be used or available for use;

(ii) Operating head and head losses;

(iii) Electrical and hydraulic efficiency of main or auxiliary machinery or of any other portion of the works, or of the works as a whole;

(iv) The amount of power developed, permitted to be developed, or available for development;

(v) Fix in terms of cubic feet per second the amount of water necessary to use in order to develop or generate any amount of horsepower or to exercise any water rights for any purpose;

(c)

- (c) Require the production of books, records, charts, readings, maps, plans, load curves and all other documents and records pertaining to the matters to be investigated, enquired into or determined under the provisions of this Act; Production of records, etc.
- (d) If it appears to him that the water permitted to be used is not being utilized with a proper degree of efficiency or economy, or that the works or any part of the works are so constructed, or are of such a type, or have so depreciated that the water cannot be used with a proper degree of efficiency or economy, after giving the interested parties a reasonable opportunity to be heard, order the water to be used, or the machinery or the works or any part of them, to be replaced or removed, altered, or reconstructed as the case may be, in such manner or to such an extent as may be necessary to secure the proper degree of efficient and economical use of the water; and Ordering alterations in works, etc.
- (e) If any order so made is not carried out within a reasonable time, enter upon the works and, at the expense of the owner of a water power, shut off or reduce the supply of water or close the works or any part thereof in such a manner as to prevent further use until such order has been obeyed. Shutting off water or closing works.

5.—(1) Where an order made by the Inspector calls for alterations, repairs or improvements in the works there may be an appeal from the order of the Inspector to the Lieutenant-Governor in Council, and the Lieutenant-Governor in Council may make such order in the premises as may be deemed meet, which order shall be final. Appeal to Lieutenant-Governor in Council.

(2) Upon such appeal, if the Lieutenant-Governor in Council is of the opinion that the additions, alterations or improvements required to be made in the works will be of material public advantage, by reason of the more efficient or economical use of the water, and that the owner of the water power will not presently receive a corresponding commercial advantage from such alterations or improvements, the Lieutenant-Governor in Council may direct a reference to determine what compensation, if any, should be made to the owner of the water power by reason of his being compelled to make such additions, alterations or improvements; Reference to determine compensation where owner not commercially benefited by alterations, etc.

and upon such reference all the circumstances shall be taken into account and if the referee is of opinion that the owner is entitled to compensation the referee may fix the amount thereof at such sum as he may deem just and reasonable, and upon the owner carrying out the order of the Inspector or of the Lieutenant-Governor in Council, the amount so awarded shall be payable to the owner in the same manner as a judgment recovered against the Crown in any court in Ontario.

Duty of
owner as to
inspection.

6. It shall be the duty of the owner of a water power, subject to the right of appeal hereinbefore given, to obey at all times the orders of the Inspector and to afford every facility for carrying out this Act and the regulations, and every owner of a water power who neglects or refuses to carry out any such order, or who obstructs or hinders or delays the Inspector or refuses to furnish him with such information and records as he may require, shall incur a penalty of not less than \$300 nor more than \$2,000, and each and every day on which such offence is committed or continued shall be deemed to create a separate offence.

Penalty.

Fixing
quantity of
water to
be taken
in exercise
of rights.

7. Where any lease, license, Order in Council or other instrument or any general or special statutory provision confers or purports to confer the right to develop or generate power measured expressly or impliedly in horsepower, or where any such instrument or provision confers or purports to confer a right of diversion or use of water defined wholly or in part by the character, location or dimensions of works, the Inspector may fix in terms of cubic feet per second the amount of water which it is necessary to use in order to develop or generate such power or to exercise such right, having regard to the location of the works and to all the circumstances of the case, and to the degree of efficiency which the owner of the water power should be required to maintain in the premises.

Submission
and
approval
of plans.

8. Every owner of a water power, before proceeding with the construction of any works or any alteration or extension of existing works or with the purchase or installation of new works, shall submit to an Inspector plans and specifications showing the details of the proposed construction, alteration or extension or of the new works proposed to be purchased or installed, and he shall not proceed therewith or let contracts therefor until such plans and specifications have been approved by the Inspector.

Limitation
and def-
inition of
rights by
Lieutenant-
Governor
in Council.

9.—(1) Where the rights of the owner of a water power to use water for the purpose of generating power do not appear to be expressly or impliedly limited by any stipulation as to the quantity of water to be used or as to the amount of
horsepower

horsepower which may be generated or otherwise, and the Lieutenant-Governor in Council deems it desirable in the public interest that such rights should be specifically limited and defined, he may direct the Inspector to enquire and report as to (1) the amount of power which the owner of a water power is authorized to generate under any contract, lease, license or other instrument, or under any general or special Act of this Legislature or otherwise, and (2) as to the quantity of water which it is necessary, having due regard to efficiency and economy in development, to use for the purpose of generating such amount of power, and upon such report the Lieutenant-Governor in Council may fix and determine, in horsepower, the amount of power which the owner shall generate and in terms of cubic feet per second the amount of water which it is necessary to use in order to develop or generate such power.

(2) If the owner is dissatisfied with the construction so placed upon his rights, or with such limitation and definition, the Lieutenant-Governor in Council may, upon the application of the owner, direct a reference to ascertain what rights, if any, have been restricted or impaired by such limitation and definition, and if it is found that such rights exist, and that they are so restricted or impaired, to ascertain the compensation that should be paid to such owner for such restriction or impairment.

(3) The amount of the compensation awarded to the owner upon such reference shall be paid to him in the same manner as the amount of a judgment recovered against the Crown.

10.—(1) Where the Lieutenant-Governor in Council deems that the public interest requires that any rights heretofore conferred upon the owner of a water power should be restricted or limited in any particular, he may by Order-in-Council limit, define or restrict such rights to the construction, operation and use of such works only as may be deemed expedient in the public interest.

(2) If the owner deems himself aggrieved by any such limitation, definition or restriction, the Lieutenant-Governor in Council may direct a reference to determine what compensation, if any, should be paid to the owner, and the referee shall have the like powers and shall proceed in the same manner, and the amount awarded shall be payable in the same way as in the case of a reference under section 9.

Matters to
be consid-
ered on
reference.

11.—(1) Upon any reference under this Act, the referee shall take into consideration

- (a) The conditions under which any rights to generate or develop power were originally obtained;
- (b) The consideration paid or agreed to therefor;
- (c) The capital invested in any works by the owner of a water power;
- (d) The circumstances which render any limitation or restriction of such rights necessary and desirable in the public interest.

Powers of
Commis-
sioner.

(2) The referee, upon any inquiry under this Act directed by the Lieutenant-Governor in Council, shall have all the powers which may be conferred upon a commissioner under *The Public Inquiries Act*.

Rev. Stat.
c. 18.

Regula-
tions by
Lieutenant-
Governor
in Council.

12. The Lieutenant-Governor in Council may make regulations respecting

- (a) The procedure to be followed by the Inspector and for conferring upon him the powers of a commissioner under *The Public Inquiries Act*;
- (b) The form and term of notices to be given by the Inspector and the enforcement of his orders;
- (c) The appointment of officers, servants and agents by the Inspector and their duties and powers;
- (d) The procedure to be followed upon any appeal from an order of the Inspector;
- (e) Any returns to be made by the owner of a water power and the particulars to be stated in such returns;
- (f) The better carrying out of the provisions of this Act in general.

Rev. Stat.
c. 18.

CHAPTER 22.

An Act to amend The Municipal Drainage Aid Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 4 of *The Municipal Drainage Aid Act* is amended by striking out the figures “\$30,000” where they occur in the eighth line thereof and inserting in lieu thereof the figures “\$60,000,” and by striking out the figures “\$20,000” at the end thereof and inserting in lieu thereof the figures “\$40,000.” Rev. Stat.
c. 43, s. 4,
amended.

Limit of
issue of
debentures
and
amount of
investment
therein.
2. Section 5 of *The Municipal Drainage Aid Act* is amended by striking out the figures “\$350,000” where they occur in the third line thereof and inserting in lieu thereof the figures “\$500,000.” Limit of
total in-
vestment of
province.

CHAPTER 23.

An Act to amend The Tile Drainage Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 44, s. 2,
(4 Geo. V.
c. 18, s. 1),
amended.

1. Section 2 of *The Tile Drainage Act* as amended by section 1 of the Act passed in the fourth year of His Majesty's reign, chaptered 18, is amended by striking out the figures "\$40,000" where they occur in the fourth line of subsection 1 and in the fourth line of subsection 2 and inserting in lieu thereof the figures "\$50,000."

Borrowing
powers of
councils.

Rev. Stat.
c. 44, s. 10,
amended.

2. Section 10 of *The Tile Drainage Act* is amended by striking out the figures "\$200,000" where they occur in the third line and inserting in lieu thereof the figures "\$500,000."

Limit of
purchases
of debentures by
province.

CHAPTER 24.

The Statute Law Amendment Act, 1916.

Assented to 27th April, 1916.

1. Section 5 of *The Department of Agriculture Act* is amended by striking out the clauses *e*, *f*, *g*, and *h*, therein. Rev. Stat. c. 45, s. 5, cls. e, f, g, h, repealed.

2. *The Department of Agriculture Act* is amended by inserting therein the following section:— Rev. Stat. c. 45, amended.

6a. Where any work of the Department is carried on elsewhere than at the seat of Government the Minister may appoint such officers, clerks, servants and labourers as he may deem necessary, and may fix their salaries or other remuneration and the appropriation against which the same shall be charged, and such salary or other remuneration shall be payable out of such appropriation accordingly. Appointment and payment of outside service.

3.—(1) Section 3 of *The Agricultural Associations' Act* is amended by adding at the end thereof the words:— Rev. Stat. c. 46, s. 3, amended.

“Ontario Swine Breeders' Association, Western Ontario Seed Growers' Association, and such other associations, societies, institutes, or organizations as may be designated by the Lieutenant-Governor in Council.” Would be deemed agricultural associations.

(2) Subsection 1 of section 23 of *The Agricultural Associations' Act* is amended by inserting after the word “of” where it first occurs in the first line, the words “Board of Agriculture.” Rev. Stat. c. 46, s. 23, subs. 1, amended.

(3) Subsection 2 of the said section 23 is amended by inserting before the words “Farmers' Institutes” in the third line, the words “Boards of Agriculture.” Rev. Stat. c. 46, s. 23, subs. 2, amended.

Rev. Stat.
c. 48, s. 6,
ss. 2,
amended.

4. Subsection 2 of section 6 of *The Horticultural Societies Act* is amended by striking out the figures "\$500" in the last line, and substituting the figures "\$700."

Rev. Stat.
c. 56, s. 77a,
subs. 1,
amended.
(4 Geo. V.
c. 21, s. 15.)
Appointment of
deputy by
surrogate
registrar.

5. Subsection 1 of section 77a of *The Judicature Act* as enacted by section 15 of *The Statute Law Amendment Act, 1914*, is amended by inserting the words "Surrogate Registrar" after the words "Deputy Clerk of the Crown" where they occur in the said subsection.

Rev. Stat.
c. 58, s. 5,
amended.
Junior
judge in
Temiskam-
ing.

6. Subsection 3 of section 5 of *The County Judges' Act* is amended by inserting after the word "Nipissing" at the end of the last line but one, the word "Temiskaming."

Rev. Stat.
c. 59, s. 42,
amended.

7.—(1) Section 42 of *The County Courts Act* is amended by adding to it the following subsection:—

Certifying
pleadings
on appeal.

(3) Where the Judge has resigned or died or is for any reason unable to act, the proceedings may be certified by the clerk or in such other manner and by such other person as may be directed by a Judge of the Appellate Division.

Rev. Stat.
c. 59, s. 44,
subs. 1,
amended.
Setting
down
appeals.

(2) Subsection 1 of section 44 of *The County Courts Act* is amended by inserting before the words "The appeal" in the first line, the words "subject to Rules of Court."

Rev. Stat.
c. 64, s. 37,
ss. 1,
amended.
(4 Geo. V.,
c. 21, s. 18.)

8. Subsection 1 of section 37 of *The Jurors Act*, as amended by 4 George V, cap. 21, sec. 18, is amended by striking out the words "third Tuesday in November at 10 o'clock in the forenoon," in the second and third lines thereof, and substituting therefor the words "first day of the sittings of the Court of General Sessions of the Peace held next after the 10th day of November in each year."

Rev. Stat.
c. 64, s. 90,
subs. 4,
repealed.

9. Subsection 4 of section 90 of *The Jurors Act* is repealed and the following substituted therefor:—

When
jurors may
be paid
although
attendance
not re-
quired.

(4) Where petit jurors are in attendance at the court and are informed by the presiding judge that their attendance will not be required for one or more days, or where a grand jury adjourns for a period of one or more days, the jurors shall be paid for the first and second days of such period during which they are absent, but jurors who reside in the county town shall not be entitled to be paid for a Sunday.

Rev. Stat.
c. 75, s. 26,
amended.

10. Section 26 of *The Limitations Act* is amended by striking out the figures "24" in the first line and inserting in lieu thereof the figures "27."

11. Section 14 of *The Evidence Act* is amended by inserting after the word "administered" in the fifth line thereof, the following words: "while such witness or deponent holds in his hand a copy of the Old or New Testament, or."

Rev. Stat.
c. 76, s. 14,
amended.
Adminis-
tering oaths.

12. Section 38 of *The Evidence Act* is amended by adding after the clause lettered "k" the following:

Rev. Stat.
c. 76, s. 38,
amended.

- (l) Or before a commissioner authorized to take affidavits in Ontario or a Notary Public of Ontario.

Taking
affidavits,
etc. for use
in Ontario.

13. In addition to the classes of persons named in section 38 of *The Evidence Act*, an oath, affidavit, affirmation or declaration for use in Ontario, may be administered, sworn, affirmed or made out of Ontario by a Colonel, or Major of the Canadian Expeditionary Forces on active service, out of Canada, and shall be as valid and effectual and shall be of like force and effect to all intents and purposes as if it had been administered, sworn, affirmed or made in Ontario before a commissioner for taking affidavits therein or other competent authority of the like nature.

Taking
affidavits,
etc. before
officers of
Canadian
Expedition-
ary Force.

14. Section 11 of *The Justices of the Peace Act* is amended by adding thereto the following subsections:—

Rev. Stat.
c. 87, s. 11,
amended.

- (3) Where any person is appointed a Justice of the Peace for a Territorial District, or for any part of a Territorial District, it shall only be necessary for him to possess such property qualification, if any, as may be provided in the commission appointing him.

Property
qualifica-
tion in
districts.

- (4) Subsection 3 shall apply in the case of any commission issued after the eighteenth day of March, 1910.

Application
of section
retroactive.

15. Section 15 of *The Police Magistrates Act* is amended by adding thereto the following subsection:—

Rev. Stat.
c. 88, s. 15,
amended.

- (2) Notwithstanding anything in this Act contained any Police Magistrate may issue a search warrant to be executed in any part of the county for which or for a part of which he is Police Magistrate, except a city to which his jurisdiction does not extend, notwithstanding that the place in which such search warrant is executed is within the jurisdiction of another Police Magistrate.

Jurisdiction
of police
magistrate
as to issuing
search
warrant.

Rev. Stat.
c. 89, s. 4,
amended.

16. Subsection 3 of section 4 of *The Public Authorities Protection Act* is amended by striking out the word "manner" in the fifth line and substituting the word "matter" therefor.

Rev. Stat.
c. 96.

17.—(1) Section 14 of *The Administration of Justice Expenses Act* is repealed and the following substituted therefor:—

Payment
for special
services.

14. Where services are rendered by any person in connection with a criminal trial or proceeding, and such services are rendered by the direction or with the approval of the Attorney-General, the person by whom they are rendered shall be entitled to be paid such sum as the Attorney-General may direct, and the same shall be charged upon and be paid out of the Consolidated Revenue Fund.

Rev. Stat.
c. 96, s. 15,
amended.

(2) *The Administration of Justice Expenses Act* is amended by adding thereto the following as section 15a:—

Employ-
ment and
payment of
interpreter.

The crown attorney may employ an interpreter in any criminal cause or investigation or at a coroner's inquest, and the interpreter shall be paid such amount as the crown attorney may certify to be reasonable, and the same shall be allowed to the interpreter in the account in respect of the administration of justice and shall be payable by the county.

Rev. Stat.
c. 96, s. 16,
amended.

18. Section 16 of *The Administration of Justice Expenses Act* is amended by adding thereto the following as subsection 5:—

Proof of
distance
travelled
by sheriff
or bailiff
to serve,
etc.

(5) The distance travelled from the court house to the place where a paper is served or other service performed shall be ascertained by the statutory declaration or affidavit of the sheriff or his bailiff or other officer who actually makes or performs the service.

Rev. Stat.
c. 102,
amended.

19. *The Statute of Frauds* is amended by adding thereto the following as section 13:—

Writing re-
quired on
agreement
for pay-
ment of
commission.

13.—(1) No action shall be brought to charge any person for the payment of a commission or other remuneration for the sale of real property unless the agreement upon which such action shall be brought shall be in writing and signed by the party to be charged therewith or some person thereunto by him lawfully authorized.

(2)

- (2) This section shall come into force on the 1st day of January, 1917. Commencement of section.

20. Subsection 2 of section 48 of *The Registry Act* is amended by adding the following words: "the amount secured, the rate of interest, the amount and dates of payment set out in the proviso for redemption, the time for which the mortgage is to run and such a description of the land therein mentioned as will readily identify the location." Rev. Stat. c. 124, s. 48, subs. 2, amended. Particulars of mortgage not registered in full.

21. Section 5 of *The Custody of Documents Act* is amended by adding the following subsection:— Rev. Stat. c. 125, s. 5, amended.

- (4) When any deposit refers to a lot or parcel of land the registrar shall also enter on the Abstract Index against each such lot or parcel in red ink the words, "See Deposit No."

22. Subsection 4 of section 24 of *The Bills of Sale and Chattel Mortgage Act* is amended by inserting the words "bonds or" before the word "debentures" in the first and second lines of the said subsection. Rev. Stat. c. 135, s. 24, subs. 4, amended. Mortgages securing bonds.

23. *The Conditional Sales Act* is amended by adding thereto the following section:—

- 9a. Where the goods are in or upon premises with respect to which rent is in arrears, the landlord or other person exercising the right of distress, shall have the right to distrain the goods upon payment to the seller or lender or other person claiming, through or under him of the amount owing thereon, and the landlord may add the amount so paid to his claim for the rent. Rev. Stat. c. 136, amended. Right of landlord distraining to pay off vendor's lien.

24. Subsection 1 of section 21 of *The Ontario Medical Act* as enacted by *The Ontario Medical Amendment Act, 1915*, is amended by striking out the words "Register of Great Britain" where they occur in the said subsection and substituting the words "The Register of the United Kingdom" therefor. 5 Geo. V, c. 27, s. 21, amended. Admitting practitioners on register of United Kingdom.

25.—(1) Section 26 of *The Ontario Railway and Municipal Board Act* is amended by striking out the word "was" in the fourth line and substituting therefor the word "has." Rev. Stat. c. 186, s. 26, amended.

(2) Section 27 of *The Ontario Railway and Municipal Board Act* is amended by striking out the words "in like case" and "in the second line, and substituting therefor the words "respecting any public utility." Rev. Stat. c. 186, s. 27, amended.

Rev. Stat.
c. 186, s. 48,
amended.

26. Section 48 of *The Ontario Railway and Municipal Board Act* is amended by adding the following as subsection 6a:—

Appeal not
to be to
Privy Coun-
cil from
Ontario
Railway
and Muni-
cipal Board.

(6a) To remove doubts, it is hereby declared that subsection 6 of this section was not intended to allow, has not heretofore allowed, and does not allow an appeal from a decision of a Divisional Court under the provisions of *The Assessment Act*, and no appeal has heretofore lain nor shall hereafter lie from such a decision to His Majesty In His Privy Council.

Rev. Stat.
c. 192, s. 253,
subs. 4,
amended.

27.—(1) Subsection 4 of section 253 of *The Municipal Act* is amended by inserting at the commencement thereof the words:—

“Subject to the provisions of *The Theatres and Cinematographs Act*.”

Rev. Stat.
c. 192, s. 420,
subs. 3,
amended.

(2) Subsection 3 of section 420 of *The Municipal Act* is amended by inserting after the word “licensing” in the first line thereof the words:—

“Subject to the provisions of *The Theatres and Cinematographs Act*.”

Council
may dis-
pense with
collection
of taxes by
distress
during
war.

Rev. Stat.
c. 195.

28. Notwithstanding anything in *The Assessment Act* contained, the council of a local municipality may, by resolution, direct that during the present war and for six months thereafter, arrears of taxes in the municipality may not be collected by distress and sale of goods and chattels and that all arrears of taxes may be collected under *The Assessment Act* in the same manner as if there were no goods and chattels liable to distress and sale.

Rev. Stat.
c. 204, s. 34,
subs. 1,
amended.

29. Subsection 1 of section 34 of *The Public Utilities Act* is amended by inserting after the word “works” in the fourth line the words “and the Council of a township corporation which has entered into a contract with the Hydro-Electric Power Commission of Ontario for the supply of electrical power or energy in the township” and by adding after the word “municipality” in the last line but one the words “or in the case of such township the Hydro-Electric Commission of the Township of (naming the township.)”

Hydro-
Electric
Commission
in township.

Rev. Stat.
c. 223, subs.
1, s. 5,
repealed.

30.—(1) Subsection 1 of section 5 of *The Dairy Products Act* is repealed and the following substituted therefor:—

- (1) A person who does not hold a certificate of qualification shall not act or be allowed to act as chief maker in any creamery or cheese factory and a person who does not hold a certificate of qualification to correctly operate the Babcock test shall not be allowed to operate a milk or cream buying station or other premises where milk or cream are collected for sale or shipment. Qualification of chief maker in creameries and cheese factories.
- (2) Subsection 3 of the said section is amended by inserting after the word "schools" in the second line, the words "and a chief dairy instructor and the director of dairying." Ib. subs. 3, amended. Issuing permits.
- (3) The said section 5 is amended by adding thereto the following subsection:— Ib. s. 5, amended.
- (4) The Minister may, on the recommendation or report of a chief dairy instructor and director of dairying, cancel any certificate on the ground that the holder thereof is not performing his duties satisfactorily. Cancellation of certificate by minister.

31. Section 2 of *The Theatres and Cinematographs Act* is amended by inserting at the commencement thereof the words: "Notwithstanding anything to the contrary in any other Act." Rev. Stat. c. 236, s. 2, amended.

32. Section 9 of *The Theatres and Cinematographs Act* as amended by subsection 5 of section 53 of *The Statute Law Amendment Act, 1914*, is amended by inserting after the words "Treasurer of Ontario," the words "nor shall a municipal corporation refuse a license to any holder of a Provincial license," and by inserting after the word "issue" in the sixth line thereof the words "or refusal." Rev. Stat. c. 236, s. 9, amended. (4 Geo. V. c. 21, s. 53).

33. Section 3 of *The Bee Protection Act* is amended by striking out the figures "\$1" in the second line and inserting in lieu thereof the figures "\$5." Rev. Stat. c. 257, s. 3, amended.

Penalty.

34. Clause j of subsection 1 of section 6 of *The Department of Education Act*, is amended by inserting after the word "settlements" in the fourth line the words "and to any town or village in a provisional judicial district when the circumstances of the case appear to the Minister to warrant the same." Rev. Stat. c. 265, s. 6, subs. 1, amended. Aid to poor schools.

35. Subsection 1 of section 11 of *The Public Schools Act* is amended by inserting after the word "building" in the second line thereof the words "or to change the site of an existing school house." Rev. Stat. c. 266, s. 11, subs. 1, amended. Procedure on change of school-house site.

Rev. Stat.,
c. 266,
ss. 124, 125
—application
of.

Compelling
delivery
of books,
money, etc.,
on dissolu-
tion of
school cor-
poration.

Rev. Stat.
c. 266.

Application
of subsec-
tion 1.

Commence-
ment of
section.

Rev. Stat.
c. 267, s. 8,
ss. 4,
amended.

Balance of
grant pay-
able to dis-
trict repre-
sentative.

4 Geo. V.
c. 20.

West
Nissouri
Continua-
tion School.

4 Geo. V.
c. 21.

36.—(1) Sections 124 and 125 of *The Public Schools Act* shall apply to the case of any person who has in his possession any book, paper, chattel, or money which came into his possession as secretary, or treasurer, or trustee, or otherwise, of a board of trustees of a school section, or urban municipality which has been dissolved by reason of the annexation of such school section or urban municipality to a city, and every such person shall deliver up, account for, and pay over every such book, paper, chattel, and all such money to the person and in the manner directed by the Board of Education, the Board of Public School Trustees, or other competent authority in the city to which such school section or urban municipality has been annexed, and in default of his so doing, proceedings may be taken against him by the urban board, or by two ratepayers of the city, in the same manner as in the case provided for by section 125 of *The Public Schools Act*, and that section shall *mutatis mutandis* apply.

(2) Subsection 1 shall apply to every person who has received from such secretary, treasurer, trustee, or other person any book, paper, chattel, or money which, by subsection 1, it is to be declared to be the duty of such secretary, treasurer, trustee, or other person to deliver up, and the like proceedings may be taken against such first mentioned person.

(3) This section shall be deemed to have been in force since the 13th day of April, 1909.

37. Subsection 4 of section 8 of *The Continuation Schools Act* is amended by adding thereto the following clause:

(a) Every balance remaining in the hands of the board of any sum paid to the board under this subsection during, or before the year 1915, shall be placed by the board at the disposal of the district representative of the Department of Agriculture, and shall be expended in accordance with *The District Representatives Act*.

38.—(1) If the Minister of Education shall certify that in his opinion the amount heretofore named in the application of the West Nissouri Continuation School Board mentioned in section 58 of *The Statute Law Amendment Act, 1914*, to the Council of the Corporation of the Township of West Nissouri is sufficient to purchase a site and erect a school house thereon, the West Nissouri Continuation School Board shall immediately apply to the Council of the Corporation of the said Township for the issue of debentures

for

for permanent improvements to the said amount, and the said Council shall thereupon immediately issue the said debentures and pay over the proceeds thereof to the said Board, and the said Board shall, within the time to be fixed by the Minister, purchase a site and erect the school house thereon.

Issue of debentures for school site and school house.

(2) Subsection 1 shall have effect notwithstanding any lapse of time, and notwithstanding anything in *The Municipal Act*, *The High Schools Act*, *The Continuation Schools Act*, or any other Act, contained.

Application of subs. 1, or Rev. Stat. 192, 268 and 267.

(3) It shall be the duty of the Council of the Corporation of the Township of West Nissouri, and of the said Board, to carry out the provisions of subsection 1 and a mandamus may be issued at the instance of any ratepayer of the Township of West Nissouri to compel the performance of such duty.

Enforcing duty of council and board.

39. Section 5 of *The School Law Amendment Act, 1915*, shall be deemed to have taken effect as from the 31st day of December, 1914.

Commencement of 5 Geo. V, c. 43, s. 5.

40. A board of education, public school board, or separate school board may pay to any teacher, officer, or servant of the board, enlisting for service in any Canadian Expeditionary Force during the present war, the whole or any part of the salary or other remuneration of such teacher, officer or servant during his absence upon such service, and this section shall take effect as from the 4th day of August, 1914.

Payment of salaries of enlisted employees of school boards.

41.—(1) The Commission heretofore appointed under the Act passed in the 5th year of His Majesty's reign, chapter 45, respecting the Board of Trustees of the Roman Catholic Separate Schools of the City of Ottawa may apply to the Municipal Council of the Corporation of the City of Ottawa in any year, for the levying and collection of all sums for the support of the separate schools of the City of Ottawa, and for any other school purposes authorized by *The Separate Schools Act* to be collected from the supporters of the separate schools.

Collection of taxes from separate school supporters in Ottawa. 5 Geo. V, c. 45.

(2) When the Commission makes such application it shall submit to the Municipal Council of the City of Ottawa on or before the 1st day of August, or at such time as may be required by the council, an estimate of the sums required to be raised under subsection 1 and the Corporation of the City of Ottawa shall collect the same with the municipal taxes, from the supporters of separate schools in the City of Ottawa, in the same manner and subject to the same provisions as if the council had been required to collect such

Rev. Stat. c. 270.

Duty of council when required to collect taxes.

separate school rates by the separate school board under the terms of *The Separate Schools Act*, and shall pay over all sums collected to the Commission.

Proclamation of section.

(3) Subsections 1 and 2 shall come into force on proclamation of the Lieutenant-Governor in Council.

Rev. Stat. c. 271, s. 2, amended.
Judge of juvenile court.

42. Section 2 of *The Industrial Schools Act* is amended by adding after the word "Court" in the second line of the definition of "Judge," the words "the Judge of a Juvenile Court."

Rev. Stat. c. 280, s. 14, amended.

Temporary use of permanent fund.

43. Section 14 of *The Upper Canada College Act* is amended by striking out the figures "\$30,000" in the second line, and inserting in lieu thereof the figures "\$100,000," and this amendment shall have effect as from the twentieth day of April, 1900.

Rev. Stat. c. 281, s. 7, repealed.

44. Section 7 of *The Agricultural College Act* is repealed and the following substituted therefor:—

Appointment of president and staff.

7.—(1) The Lieutenant-Governor in Council, upon the recommendation of the Minister of Agriculture, may appoint a president, professors, lecturers, and other members of the teaching or executive staff, and prescribe their respective duties.

Appointment of officers, labourers, servants, etc., by president.

(2) The president, subject to the approval of the Minister, may appoint such other officers, labourers, or servants as may be deemed necessary for the efficient working of the College and farm.

Rev. Stat. c. 298, s. 16, subs. 1, amended.

Provincial aid towards maintenance.

45.—(1) Subsection 1 of section 16 of *The Sanatoria for Consumptives Act* is amended by striking out the figures and word "70 cents" after the word "than" in the fifth line and inserting in lieu thereof the figures "\$1.00" and by striking out all of the words after the word "patient" in the seventh line.

Rev. Stat. c. 298, s. 16, subs. 2, amended.
Municipal aid towards maintenance.

(2) Subsection 2 of section 16 of *The Sanatoria for Consumptives Act* is amended by striking out the figures and word "70 cents" in the sixth line and inserting in lieu thereof the figures "\$1.00."

Rev. Stat. c. 298, s. 24, repealed.

(3) Section 24 of *The Sanatoria for Consumptives* as amended by section 2 of the Act passed in the 4th year of His Majesty's reign, chapter 56, is repealed and the following substituted therefor—

Rate chargeable to municipality for indigent patients.

24. No sanatorium shall charge against a municipal corporation for the maintenance of an indigent patient a higher rate than \$1 per day.

46. Section 23 of *The Hospital and Charitable Institutions Act* is amended by adding thereto the following sub-amended.
Rev. Stat. c. 300, s. 23.
 section:

- 1a. The municipal corporation of a township municipality, adjoining a city having a population of more than 100,000, shall not be liable under subsection 1 in the case of any indigent person admitted to a hospital without an order in writing, signed by the reeve, or deputy reeve, or a councillor of the township, and stating that such indigent person is a resident of the township, and where such order is given the liability of the township to the governing body of the hospital shall not be open to question.

47. Section 4 of *The Prisons and Public Charities Inspection Act* is repealed, and the following substituted therefor: Rev. Stat. c. 301, s. 4. repealed.

4. The Lieutenant-Governor in Council may appoint four persons to be inspectors of the institutions mentioned in section 3, one of whom shall be designated "Inspector of Feeble-Minded" and each of the others "Inspector of Prisons and Public Charities." Appointment of Inspectors.

48. Section 1 of *The Act respecting the Export of Pulpwood* as amended by section 4 of *The Statute Law Amendment Act, 1915*, is further amended by striking out the words "within the current season of 1915" and inserting in lieu thereof the words "in the years 1916 and 1917." 4 Geo. V, c. 12, s. 1; 5 Geo. V, c. 20, s. 4, amended. Suspension of manufacturing condition.

49. Section 69 of *The Statute Law Amendment Act, 1914*, shall apply and extend to services rendered and expenses incurred since the enactment of the said section, and nothing in *The Legislative Assembly Act* shall render ineligible any member of the Assembly or disqualify him from sitting and voting in the Assembly, by reason of his being a member of the Commission known as "The Highways Commission" or by reason of his receiving the allowance and expenses above mentioned. 4 Geo. V, c. 21, s. 69, extended. Indemnification of member of assembly serving on Highways Commission.

50. Section 6 of *The Charities Accounting Act, 1915*, is amended by adding after the clause lettered *k*, at the end of the said section, the following clause:— 5 Geo. V, c. 23, s. 6, amended.

Powers of court as to appointing trustee of charitable bequest.

- (1) Appointing an executor or trustee in place of any executor or trustee who has died, or has ceased to act, or has been removed, or has gone out of Ontario, notwithstanding that the will or other instrument creating the trust confers the power to make such an appointment upon another executor or trustee or upon any other person.

Submission of question of change of name of City of Berlin.

51. The Corporation of the City of Berlin may submit the following question to the municipal electors—

“Are you in favour of changing the name of this city?”

and if a majority of the electors voting on the question vote in the affirmative the Lieutenant-Governor in Council on the application of the council of the city may by proclamation change the name of the city and give it a name chosen by the council of such city.

Township of Tiny authorized to purchase certain lands from Crown.

52. The Corporation of the Township of Tiny, in the County of Simcoe, is hereby authorized and empowered to purchase from the Government of the Province of Ontario, those lands in the said Township, known as the Naval and Military Reserve (The Square and Triangular Redoubts), and the said corporation may sell and convey the said lands or any part thereof for such price as may be deemed proper.

CHAPTER 25.

An Act respecting the Custody of Certain Records.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Supreme Court of Ontario or a Judge thereof may upon the application of the Provincial Archivist upon notice to the Treasurer of the Law Society of Upper Canada, and upon such terms and conditions as may be thought fit, order that the records, papers and documents mentioned in the Schedule to this Act, now in the custody of the Supreme Court at Osgoode Hall, shall be delivered by the Registrar of the Supreme Court to the said Provincial Archivist for the purpose of being calendered and kept in the Ontario Bureau of Archives.

Order for transfer of records from Osgoode Hall to office of Provincial Archivist.

2. The description and date of all Records, papers and documents the delivery of which is desired shall be set forth in a list thereof to be produced to the Court or Judge on the application for the Order.

List of documents to be produced on application.

3. A receipt of all Records, papers and documents received by the Provincial Archivist shall be signed by him and delivered to the Registrar of the Supreme Court, who shall file the same in his office.

Receipt to be given by archivist.

(See also as to transfer of certain documents from Osgoode Hall to the Archivist. 10 Edw. VII, c. 26, s. 12.)

SCHEDULE.

(a) The Rolls of Barristers, Attorneys, and Solicitors for the Province of Ontario from the year 1794 to the year 1880 inclusive.

(b) The Rolls of Judges for the Province of Ontario down to and inclusive of the year 1885.

(c) Such other Records, papers and documents down to and inclusive of the year 1867 as the Court or Judge may think proper.

CHAPTER

CHAPTER 26.

An Act to amend The Division Courts Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 63, s. 15,
subs. 3,
amended.

1. Subsection 3 of section 15 of *The Division Courts Act* is amended by adding thereto the following words, “and the costs of such advertisement shall be paid for by the county.”

Rev. Stat.
c. 63, s. 26,
repealed.

2. Section 26 of *The Division Courts Act* is repealed and the following substituted therefor:—

Security by
Clerks and
Bailiffs.

26.—(1) Every Clerk and Bailiff shall furnish such security as may be required by the Lieutenant-Governor in Council for the due performance of the duties of his office, and, subject to section 33, the provisions of *The Public Officers Act*, relating to the giving of security, shall apply to such security.

Rev. Stat.
c. 15.

Security
to inure
to benefit
of person
injured.

(2) Such security shall enure to the benefit of any person suffering damages by the default, breach of duty or misconduct of the Clerk or Bailiff.

Rev. Stat.
c. 63, s. 33,
repealed.

3. Section 33 of *The Division Courts Act* is hereby repealed and the following substituted therefor:—

Agreements
with
Fidelity
Company
as to
security for
Clerks and
Bailiffs.

33. The Lieutenant-Governor in Council may authorize the Inspector to enter into agreements in His Majesty's name with any Corporation authorized to carry on the business of fidelity insurance in Ontario, for the furnishing of the security required by section 26, and may also make regulations regarding the same.

Rev. Stat.
c. 63, ss. 27,
28, 29, 31, 32,
57 and 58,
repealed.

4. Sections 27, 28, 29, 31, 32, 57 and 58 of *The Division Courts Act* are hereby repealed.

5. Subsection 3 of section 43 of *The Division Courts Act* is amended by striking out the words "to the Clerk of the Peace of his county, to be paid over" in the third and fourth lines thereof. Rev. Stat. c. 63, s. 43, sub. (3), amended

6. Section 56 of *The Division Courts Act* is amended by striking out all words after the word "address" in the third line thereof. Rev. Stat. c. 63, s. 56, amended

7. Subsection 1 of section 128 of *The Division Courts Act* is amended by inserting before the words "The Appellant" in the first line, the words "subject to the Consolidated Rules of Practice of the Supreme Court." Rev. Stat. c. 63, s. 128, ss. 1, amended. Procedure on appeals.

CHAPTER 27.

An Act to amend The Mortgagors' and
Purchasers' Relief Act.*Assented to 27th April, 1916.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

5 Geo. V,
c. 22, s. 4,
subs. 1
amended.

1. Subsection 1 of section 4 of *The Mortgagors' and Purchasers' Relief Act* is amended by striking out all the words after the word "mortgage" in the third line, down to and inclusive of the figures "1914" in the fifth line and by substituting therefor the following:—

Application
of Act.

"made or entered into after the 4th day of August, 1914, or to any extension or renewal made or entered into after the 4th day of August, 1914, of a mortgage made or entered into prior to that date where such extension or renewal is for not less than three years, and the rate of interest provided for in the original mortgage is not increased by such extension or renewal."

5 Geo. V,
c. 22,
amended.

2. *The Mortgagors' and Purchasers' Relief Act, 1915*, is amended by adding thereto the following section:—

Application
of Act.

13a. The provisions of this Act shall apply to any actions or proceedings which are taken in any court in Ontario, notwithstanding that the lands in question in the action or proceeding are situate without Ontario or the agreement or mortgage or other contract was made and entered into outside Ontario.

5 Geo. V,
c. 22, con-
tinued in
force.

3. Notwithstanding anything contained in section 14 of *The Mortgagors' and Purchasers' Relief Act, 1915*, all the other provisions of the said Act shall continue in force and have effect until the expiration of thirty days from the close of the next session of the Legislature to be held hereafter.

CHAPTER

CHAPTER 28.

An Act to amend The Trustee Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 28 of *The Trustee Act* is amended by striking out the words added thereto by section 15 of *The Statute Law Amendment Act, 1915*, and substituting therefor the words "or he may entrust the same to a trust company incorporated or licensed under the laws of Ontario to invest as his agent in any of the above mentioned securities in the manner contemplated by subsection 2 of section 17 of *The Loan and Trust Corporations Act*";
Rev. Stat. c. 121, s. 28; 5 Geo. V. c. 20, s. 15, amended.
 Provided that in the case of a company licensed under the laws of Ontario it has been approved by the Lieutenant-Governor in Council.
Appoint-ment of trust com-pany as agent of trustee. Rev. Stat. c. 184.

CHAPTER 29.

An Act to facilitate the execution of Trusts
during the present War.*Assented to 27th April, 1916.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Execution of Trusts Act, 1916.*

Interpreta- **2.** In this Act—
tion.

"Trustee." "Trustee" shall include an executor, administrator or administrator with will annexed in relation to the administration of the estate of the deceased.

Delegation **3.**—(1) A trustee (whether a sole trustee or a trustee
of trust by with others) may, notwithstanding any rule of law or equity
trustee. to the contrary, by power of attorney, attested by one or
more witnesses, delegate to any person capable of being ap-
pointed to be a trustee of the trust the execution during any
period for which the trustee is engaged on war service within
the meaning of this Act, and a further period of two months
thereafter, of any trust of which he is trustee.

What to be (2) For the purposes of this Act a trustee shall be deemed
included as to be engaged on war service—
war service.

(a) If he is engaged on active service in connection with the present war as a member of any of the military or naval forces of the Crown; and

(b) If he is engaged on service in any work abroad, in connection with the present war, of the British or Canadian Red Cross Society, or the Army Medical Corps, or any other body with similar objects; and

(c)

- (c) If in connection with the present war he is a prisoner of war in the enemy's country or is interned in the country of a neutral power.

(3) All jurisdiction and powers of any court shall apply to the donee of a power of attorney given under this Act so far as respects the execution of the trust in the same manner as if the donee were a trustee of the trust. Donee of power of attorney.

(4) A statutory declaration or affidavit by the donee of a power of attorney under which the execution of a trust is delegated; that the donor is engaged on war service within the meaning of this Act, or that in any transaction the donee is acting in execution of the trust, shall be accepted as sufficient evidence of the fact by any person dealing with the donee. Proof that donee engaged in war service.

4.—(1) A power of attorney given under this Act may be registered in the registry office of any county or in any land titles office upon the affidavit of the witness being made before the major or any officer of higher command serving with the British or Canadian Expeditionary Force, or made as now provided by *The Registry Act* or *The Land Titles Act*. Registry of power of attorney.
Rev. Stat. c. 124, 128.

(2) The donee of a power of attorney given under this Act may, for the purpose of the transfer of any stock, including inscribed stock, himself delegate to an attorney the power to transfer. Delegating right to transfer inscribed stock.

5. The powers conferred by this Act on trustees in relation to any period for which they are engaged on war service may also be exercised by any trustee not engaged on war service in relation to any period during which, being abroad, he is for any reason connected with the present war unable to return from abroad to the Province of Ontario; and this Act shall have effect, in its application to such trustees, with the necessary modifications. Enforced absence of trustee on account of war.

6. A trustee may appoint as his attorney his co-executor or co-administrator (if any), or any other person who would be capable of being appointed by a court of competent jurisdiction to be administrator with the will annexed or administrator of such deceased person, if no executor or administrator existed; provided that for the purpose of this provision a person shall not be deemed to be incapable of being appointed administrator by reason only that some other person would have, according to the law or practice of the court, a prior claim to be so appointed. Trustee may appoint co-executor, etc., as attorney.
Provided.

7.—(1) In favour of any person dealing with the donee of a power of attorney made under this Act, any act done or instrument executed by the attorney shall, notwithstanding that Indemnification of person dealing with donee of power of attorney.

that the power has become revoked by the act of the donor of the power or by his death or otherwise, be as valid and effectual as if the donor of the power were alive, and of sound mind, and had himself done such act or executed such instrument, unless such person had actual notice of the revocation of the power or of the death or unsoundness of mind of the donor of the power before such act was done or deed executed.

Conclusive
proof of
absence.

(2) In favour of a person dealing with the attorney any such statutory declaration or affidavit made by the attorney as is mentioned in subsection 4 of section 3 of this Act shall be conclusive evidence of the facts therein declared.

Presump-
tion as to
continuance
of life of
trustee.

8. A trustee to whom this Act applies shall, for the purposes of this Act, be presumed to remain alive until definite news of his death has been received or such death has been presumed by a court of competent jurisdiction, and the fact that he is reported "missing" or "missing and believed to be killed" shall not be construed as giving to persons having knowledge of such report actual notice of his death, although in fact it has occurred.

Commence-
ment of
Act.

9. This Act shall take effect as from the 4th day of August, 1914.

Exception
as to implied
or construc-
tive trust.

10. This Act shall not apply to any trustee under an implied or constructive trust.

CHAPTER 30.

An Act to amend The Mechanics' and Wage Earners' Lien Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 33 of *The Mechanics' and Wage Earners' Lien Act* is repealed and the following substituted therefor:— Rev. Stat. c. 140, s. 33, repealed.

33. The action shall be tried in the County of York before the Master in Ordinary or the Assistant Master in Ordinary, and outside of the County of York, before a judge of the county or district court of the county or district in which the land is situate. Who may try action to enforce lien.

2. Section 34 of *The Mechanics' and Wage Earners' Lien Act* is repealed and the following substituted therefor:— Rev. Stat. c. 140, s. 34, repealed.

34. The Master in Ordinary, Assistant Master in Ordinary and the County or District Judge in addition to their ordinary powers shall have all the jurisdiction, powers and authority of the Supreme Court to try and completely dispose of the action and questions arising therein. Powers of officers in trial of action.

3. Section 41 of *The Mechanics' and Wage Earners' Lien Act* is repealed and the following substituted therefor:— Rev. Stat. c. 140, s. 41, repealed.

41. No fees in stamps or money shall be payable to any Judge or other officer in any action brought to realize a lien under this Act, nor on any filing, order, record or judgment or other proceeding in such action excepting that every person other than a wage earner shall on filing his statement of claim where he is plaintiff, or on filing his claim where he is not a plaintiff, pay in stamps \$1 on every \$100 or fraction of \$100 of the Limit of charges in fees or stamps.

amount

amount of his claim up to \$1,000, and \$1 on every \$1,000 or fraction of \$1,000 of the amount of his claim over \$1,000.

Rev. Stat.
c. 140, s. 19,
ss. 1,
amended.
Rev. Stat.
c. 140, s. 31,
amended.
subs. 2.

4. Subsection 1 of section 19 of *The Mechanics' and Wage Earners' Lien Act* is amended by striking out the word and figures "and 18" in the first and second lines thereof and substituting therefor "18 and 31."

5. Subsection 2 of section 31 of *The Mechanics' and Wage Earners' Lien Act* is amended by adding thereto the words "which affidavit may be made by any of the persons named in subsection 2 of section 17."

CHAPTER 31.

An Act to amend The Workmen's Compensation Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 5 of section 9 of *The Workmen's Com-* 4 Geo. V.
c. 25, s. 9,
subs. 5,
amended.
pensation Act, as enacted by section 4 of chapter 24 of the Acts passed in the fifth year of His Majesty's reign, is amended by striking out the first three lines thereof and substituting therefor the following:—

"No employer in Schedule 1 and no workman of an Right of
action de-
clared to be
taken away
as against
employer
in sched. 1.
employer in Schedule 1 or dependant of such workman shall have a right of action against any employer in Schedule 1 in any case within the provisions of subsection 1."

2. Subsection 5 of section 20 of the said Act is amended 4 Geo. V.,
c. 25, s. 20,
subs. 5,
amended.
by inserting after the word "notice" in the first line thereof the words "or to make such claim."

3. Section 28 of the said Act is amended by adding at the end thereof the words "unless otherwise ordered by the 4 Geo. V.,
c. 25, s. 28,
Commuta-
tion by
order of the
Board.
Board."

4. The said Act is further amended by adding the follow- 4 Geo. V.,
c. 25,
amended.
ing section:—

31a. The Board may, where it deems it requisite for the prompt payment of claims, require any employer in Schedule 2 to make deposits of money with Requiring
deposits
by employ-
ers in
Schedule 2
the Board from time to time, out of which the Board may pay compensation for accidents to workmen of such employer as they occur.

Rev. Stat.
c. 25, s. 64,
subs. 3,
amended.
Leave of
Board to
prosecute.

5. Subsection 3 of section 64 of the said Act is amended by adding at the end thereof the words "but no prosecution for any such contravention shall be taken without leave of the Board."

Rev. Stat.
c. 25,
amended.

6. The said Act is further amended by adding thereto the following section:—

Additions to
schedule 1.

76a—(1) The Board may, upon the application of an employer, add to Schedule 1, for such time and upon such terms and conditions as the Board may determine, any industry or part of an industry, or department of work or service, of such employer.

Additions to
schedule 2.

(2) The Board may, upon the application of an employer, add to Schedule 2, for such time and upon such terms and conditions as the Board may determine, any industry or part of an industry, or department of work or service, of such employer not in Schedule 1.

4 Geo. V.,
c. 25, s. 78,
amended.

7. Section 78 of the said Act is amended—

(a) By adding thereto the following subsection:—

Employer
to keep
account of
wages
paid.

(1a) Every employer shall keep in such form and with such detail as may be required for the purposes of this Act a careful and accurate account of all wages paid to his employees.

4 Geo. V.,
c. 25, s. 78,
subs. 4,
amended.

(b) By inserting after the figure "1" in the second line of subsection 4 the words "subsection 1a."

4 Geo. V.,
c. 25,
amended.

8. The said Act is further amended by adding thereto the following section:—

Municipal
assessors to
return
employees.

78a.—(1) Every municipal assessor of a township, town or village, shall yearly, on or before the last day for completing his assessment roll, make a return to the Board upon forms provided by the Board for the purpose showing the names, addresses, nature of business, and usual number of employees, of all employers of labour carrying on in the municipality any industry or business other than farming or mercantile business.

Payment of
assessors.

(2) The Board may make remuneration for such return out of the accident fund.

9. Schedule 2 of the said Act is amended by adding thereto the following paragraph:—

4 Geo. V.,
c. 25, sched.
2, amended.

8. The construction or operation of a bridge connecting the Province with an adjacent province or state, but not its construction when constructed by any person or company other than the person or company owning or operating the bridge.

Addition
of inter-
provincial
bridge work.

10. Section 2 of *The Ontario Railway Act* is amended by inserting after the word "workmen" in the second line of paragraph vi. of clause 2 the words "or their dependants."

Rev. Stat.
c. 185,
s. 2, cl. 2,
amended.

"Working
expenses"
of railways.

CHAPTER 32.

An Act to amend The Marriage Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Marriage Law Amendment Act, 1916.*

Rev. Stat. c. 148, s. 8, amended. **2.** Section 8 of *The Marriage Act* is amended by adding thereto the following subsection:—

Regulations as to licenses and certificates. (2) The Lieutenant-Governor in Council may make regulations defining the terms and conditions upon which marriage licenses and certificates shall be furnished.

Rev. Stat. c. 148, amended. **3.** *The Marriage Act* is amended by adding thereto the following section:—

Issue of licenses at discretion of Registrar-General in special cases. **16a.** Notwithstanding anything in this Act contained, if the Registrar-General considers that circumstances justify the issue of a marriage license in any particular case, he may, in his absolute discretion, authorize an issuer of marriage licenses to issue a license upon the production of such evidence as the Registrar-General may deem sufficient.

Rev. Stat. c. 148, s. 19, subs. 1, cl. c, repealed. **4.** The clause lettered *c* in subsection 1 of section 19 of *The Marriage Act* is repealed and the following substituted therefor:—

Affidavit as residence in Ontario. (c) That one of the parties has, for the space of fifteen days immediately preceding the issue of the license, had his or her usual place of abode within Ontario.

Rev. Stat. c. 148, s. 19, subs. 2, repealed. **5.** Subsection 2 of section 19 of *The Marriage Act* is repealed, and the following substituted therefor:—

(2)

- (2) If both of the parties have not, for the space of fifteen days immediately preceding the date of the affidavit, had their usual place of abode within Ontario, the license or certificate may be issued upon the applicant proving by the production of copies of a newspaper published in the municipality where the parties have had their usual place of abode, or if there is no such newspaper, a newspaper published as near to such municipality as may be, and containing notice of the intended marriage that such notice has been published once a week for three successive weeks immediately preceding the application for the license or certificate.

Where parties have not resided in locality of marriage for fifteen days.

6. Subsection 3 of section 19 of *The Marriage Act* is repealed, and the following substituted therefor:—

Rev. Stat. c. 148, s. 19, subs. 3, repealed.

- (3) Upon the applicant for a license or certificate stating that no such advertisement, as required by subsection 2, has been published, the issuer or deputy issuer may report the circumstances to the Registrar-General, who, if he is satisfied that the reason for having the marriage solemnized in the place mentioned in the affidavit is not in order to evade due publicity or for any other improper purpose, may in writing authorize the issue of the license or certificate, and in that case, a fee of \$5 shall be paid for such authorization in addition to the usual license fee.

Special action by Registrar-General where publication has not taken place.

7. Section 24 of *The Marriage Act* is repealed and the following substituted therefor:—

Rev. Stat. c. 148, s. 24, repealed.

24. No fee shall be payable for a license or certificate except the sum of \$5, which the issuer of the license or certificate shall be entitled to retain for his own use, but the Lieutenant-Governor in Council may from time to time reduce or increase the sum so payable.

Fee for license or certificate.

8. *The Marriage Act* is amended by adding thereto the following section:—

Rev. Stat. c. 148, amended, penalties.

- 38.—(1) Every person who wilfully makes or causes to be made a false statement touching the particulars required to be recorded or reported under this Act, shall incur a penalty of \$50.

Making false statements or reports.

Where no
other
penalty
provided.

- (2) Every person guilty of an act or omission in violation of any provision of this Act, for which no other penalty is provided, shall incur a penalty of \$20.

Penalties
recoverable
under Rev.
Stat.
c. 90.

- (3) The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Limitation
of prosecu-
tions.

- (4) Every prosecution for a penalty imposed by or under the authority of this Act shall be commenced within one year after the act or omission complained of.

Prosecu-
tions to
be con-
ducted by
Crown
Attorney.

- (5) Every prosecution for a penalty imposed by or under the authority of this Act shall be conducted by the Crown Attorney of the county or district in which the offence complained of was committed upon his receiving the instructions of the Registrar-General.

Rev. Stat.
c. 48,
Schedule
Form 3,
repealed.

9. *The Marriage Act* is amended by striking out Form 3, in the Schedule thereto, and substituting therefor the form set out in Schedule "A" to this Act.

SCHEDULE "A."

FORM 3.

PARTICULARS TO BE SUPPLIED BY THE
PERSON SOLEMNIZING THE
MARRIAGE.

AFFIDAVIT.

REQUIRED BEFORE LICENSE OR CERTIFICATE IS GRANTED BY ISSUER OF MARRIAGE LICENSES BY PROVISION OF
THE MARRIAGE ACT.

1916.

Bridegroom	Name	BRIDEGROOM.	BRIDE.
Bride	Age		
	Residence when married		
I certify that the above parties were married by me in the presence of	Place of Birth		
	Condition in Life		
Witness	Occupation		
	Religious Denomination		
Address	Name of Father		
	Maiden Name of Mother		
Witness	Intended Place of Marriage		
Address		City, Town, Village or Township of	County of

I, (name of deponent or of the other contracting party) ha ... had
(my, his, or her) usual place of abode within the Province of Ontario for fifteen days immediately pre-

ceding the date of this affidavit.

I hereby declare that the facts herein set forth are true, to the best of my knowledge and belief, and that there is no affinity, consanguinity, prior marriage or other lawful cause or legal impediment to bar or hinder the solemnization of the marriage

Sworn before me at }
in the County of }
this day of 191...

(Signature of Issuer) Issuer of Marriage Licenses at (Signature of Deponent.)

Chap. 32.

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CHAPTER 33.

An Act to amend The Law Society Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Grants to
certain
funds
legalized.

1. The grants of \$5000 to the Canadian Patriotic Fund, \$500 to the British Red Cross Society, and \$500 to the Belgian Lawyers' Relief Fund made by the Law Society of Upper Canada are declared to be and to have been legal and valid and within the competence of the Law Society of Upper Canada.

CHAPTER 34.

An Act to amend The Private Detectives Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 4 of *The Private Detectives Act* is amended by adding thereto the following subsections:—

Rev. Stat.
c. 177, s. 4,
amended.

(2) Immediately upon the receipt of the License, Form 2, the licensee named therein shall cause such license to be posted up and at all times displayed in a conspicuous place in the bureau, agency, subagency, office or branch for which it is issued.

License to
be posted
up in office.

(3) In case of removal of the bureau, agency, subagency, office or branch of a licensee to a place other than that described in the license, he shall, within twenty-four hours immediately following such removal, give written notice of such removal to the Treasurer of Ontario, which notice shall describe the premises to which removal is made.

Notice of
removal of
office, etc.

2. Section 5 of the said Act is amended by adding the following subsection:—

Rev. Stat.
c. 177, s. 5,
amended.

(2) No person who is or has been a licensee under this Act or the employee of a licensee shall divulge to anyone other than his employer or as his employer may direct, except as he may be required by law, any information acquired by him during such employment in respect of any of the work to which he shall have been assigned by such employer.

Information
acquired
to be
confidential.

Rev. Stat.
c. 177, s. 8,
amended.
Application
of Act to
legal
profession.
Rev. Stat.
c. 177,
Form 1,
repealed.

3. Section 8 of the said Act is amended by adding thereto the following words: "in the regular practice of their profession."

4. Form 1 of the said Act is repealed and the form in Schedule "A" to this Act is substituted therefor.

SCHEDULE "A."

FORM OF APPLICATION FOR LICENSE.

AN ACT RESPECTING PRIVATE DETECTIVES.

I, _____ of the _____
of _____ in the County of _____
apply for a license under the said Act to engage in the business of
the private detective and furnishing information as provided in the
said Act. I propose to carry on business at the City of _____
in premises known as No. _____ Street.

I am of the full age of _____ years. My present occupa-
tion is _____. My former
occupations were _____. The following
persons and no others are associated with me in the proposed de-
tective business:—

For reference I submit the names of three parties as follows:—

Dated the _____ day of _____, 19____

To the Honourable
The Provincial Treasurer.

CHAPTER 35.

An Act to amend The Ontario Companies Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Companies Amendment Act, 1916.* Short title.

2. Clause *d* in subsection 1 of section 16 of *The Ontario Companies Act* is amended by adding at the end thereof the words “where such amount is specified in the Letters Patent or Supplementary Letters Patent of the corporation.” Rev. Stat. c. 178, s. 16, subs. 1, amended. Borrowing powers.

3. Section 34 of *The Ontario Companies Act* is amended by adding the following subsection thereto:— Rev. Stat. c. 178, s. 34, amended.

(5) If any person or persons trade or carry on business under any name or title of which “Limited” is the last word, that person or those persons shall, unless duly incorporated with limited liability, be liable to a fine not exceeding \$10 for every day upon which that name or title has been used. Penalty for using word “limited” without authority.

4. Subsection 2 of section 80 of *The Ontario Companies Act* is amended by striking out the word “or” in the fourth line thereof and by adding after the words “Supplementary Letters Patent” the words “or any prior by-law.” Rev. Stat. c. 178, s. 80, subs. 2, amended. Confirmation by Letters Patent.

5. Section 83 of *The Ontario Companies Act* is amended by striking out the word “two” in the fifth line thereof and inserting in lieu thereof the word “six.” Rev. Stat. c. 178, s. 83, amended. Time for holding election of directors.

Rev. Stat.
c. 172,
amended.

6. *The Ontario Companies Act* is amended by adding as section 210, the following:—

General
corporate
powers of
certain
companies.

210. Every Corporation or Company heretofore or hereafter created,

- (a) By or under any special or general Act of the Parliament of the late Province of Upper Canada;
- (b) By or under any special or general Act of the Parliament of the late Province of Canada, which has its head office and carries on business in Ontario, and which was incorporated with objects or purposes to which the authority of this Legislature extends;
- (c) By or under any of the Acts repealed by *The Ontario Companies Act, 1907*, or under any Act for which any of such repealed Acts was substituted or to which any of such Acts was applicable;
- (d) By or under a Special Act to which any of the provisions of *The Ontario Joint Stock Companies General Clauses Act* or any Act for which that was substituted were applicable.
- (e) By or under any general or Special Act of this Legislature,

shall, unless otherwise expressly declared in the Act or Instrument creating it, have, and be deemed from its creation to have had, the general capacity which the Common Law ordinarily attaches to Corporations created by Charter.

CHAPTER 36.

An Act to amend The Ontario Insurance Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Insurance Amendment Act, 1916.* Short title.

2. *The Ontario Insurance Act* is amended by inserting therein the following sections:— Rev. Stat.
c. 183,
amended.

78a. In addition to the annual statement required to be filed by each society under section 108, each society shall triennially report to the Registrar a valuation of its certificates in force on December 31st last preceding such statement excluding those issued within the last year for which the statement is filed, in cases where the contributions for the first year in whole or in part are used for current mortality and expenses; provided the first report of valuation shall be made as of December 31st, 1917. Such report of valuation shall show, as contingent liabilities, the present mid-year value of the promised benefits provided in the constitution and laws of such society under certificates then subject to valuation; and as contingent assets, the present mid-year value of the future net contributions provided in the constitution and laws as the same are in practice actually collected. At the option of any society, in lieu of the above, the valuation may show the net value of the certificate subject to valuation as hereinbefore provided, and said net value, when computed in case of

Friendly societies to furnish triennial report relating to actuarial liabilities.

monthly

monthly contributions, may be the means of the terminal values for the end of the preceding and of the current insurance years.

By whom valuation to be prepared, method of preparation and time for filing.

Such valuation shall be certified by a competent accountant or actuary, and shall be filed with the Registrar within ninety days after the submission of the last preceding annual statement. The legal minimum standard of valuation for all certificates, except for disability benefits, shall be the Table of Mortality from which the table of rates set forth in Schedule "A" of *The Ontario Insurance Act* was deduced, or at the option of the society any higher table; or at its option, it may use a table based upon the Society's own experience of at least twenty years, and covering not less than fifty thousand lives with interest assumption not more than four per centum per annum. Each such valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation. Any society providing for disability benefits shall keep the net contributions for such benefits in a fund separate and apart from all other benefit and expense funds, and the valuation of all other business of the society, provided, that where a combined contribution table is used by a society for both death and permanent disability benefits, the valuation shall be according to tables of reliable experience and in such a case a separation of the funds shall not be required.

Financial solvency, how estimated.

The valuation herein provided for shall not be considered or regarded as a test of the financial solvency of the society, but each society shall be held to be legally solvent so long as the funds in its possession are equal to or in excess of its matured liabilities.

Distribution of report to members.

78b. Beginning with the year 1918, a report of such valuation and explanation of the facts concerning the condition of the society thereby disclosed shall be printed and mailed to each beneficiary member of the society not later than June 1st of each year in which each triennial report of valuation is made, or, in lieu thereof, such report of valuation and showing of the society's condition as thereby disclosed may be published in the society's official paper, and the issue containing the same mailed to each beneficiary member of the

the society. The laws of such society shall provide that if the stated periodical contributions of the members are insufficient to pay all matured death and disability claims in full, and to provide for the creation and maintenance of the funds required by its laws, additional, increased or extra rates of contribution shall be collected from the members to meet such deficiency; and such laws may provide that upon the written application or consent of the member, his certificate may be charged with its proportion of any deficiency disclosed by valuation, with interest not exceeding five per centum per annum.

78c. Sections 78a and 78b shall not apply to a society registered for the transaction of sick and funeral benefits only. Application of ss. 78a and 78b restricted.

78d. If the valuation of the certificates as hereinbefore provided on December 31st, 1917, shall show that the present value of future net contributions together with the admitted assets is less than the present value of the promised benefits and accrued liabilities, such society shall thereafter at least maintain said financial condition. If at any succeeding triennial valuation such society does not maintain at least the same condition the Registrar shall direct that it thereafter adopt means to increase its assets, or, the Registrar may, in the absence of good cause shown for such failure or neglect, cancel the certificate of registry of any such society. Maintenance of condition found on valuation of certificates.

Any such society, shown by any triennial valuation, subsequent to December 31st, 1917, not to have maintained the condition herein required, shall within two years thereafter make such improvement as to show a percentage of deficiency not greater than as December 31st, 1917, or thereafter as to all new members admitted, be subject, so far as stated rates of contributions are concerned, to Schedule "A" of *The Ontario Insurance Act*; provided that the net mortuary or beneficiary contributions and funds of such new members shall be kept separate and apart from the other funds of the society. If such required improvement is not shown by the succeeding triennial valuation, then the said new members must be placed in a separate class and their certificates valued as an independent society in respect to contributions and funds. Improvement of financial condition when required.

Power of Registrar to examine affairs of society.

78e. The Registrar, or any person he may appoint shall have the power of visitation and examination into the affairs of any such society failing to comply with section 78c. He may employ assistants, for the purpose of such examination, and he, or any person he may appoint, shall have free access to all the books, papers and documents that relate to the business of such society and may summon and qualify as witness under oath and examine its officers, agents and employees or other persons in relation to the affairs, transactions and condition of such society.

Power to cancel the registry of the society.

Whenever after examination the Registrar is satisfied that any such society has failed to comply with any provisions of this Act, or is exceeding its powers, or is not carrying out its contracts in good faith, or refuses or neglects to carry out the directions of the Registrar, or is transacting business fraudulently; or whenever any such society, after the existence of one year or more, shall have a membership of less than 400, or shall determine to discontinue business, the Registrar may cancel the certificate of registry of any such society, and thereafter the said society shall be wound up under the provisions of sections 212 to 231 of this Act; provided, however, that no certificate of registry shall be cancelled by the Registrar under this section until after notice has been duly served on the chief executive officers of such society, and a reasonable opportunity given to it on a date to be named in such notice to show cause why said certificate of registry should not be cancelled.

Power of Registrar to examine affairs of foreign society.

78f. The Registrar or any person whom he may appoint may examine any foreign society transacting or applying for admission to transact business in this Province. The said Registrar may employ assistants, and he or any person he may appoint shall have free access to all the books, papers and documents that relate to the business of the society, and may summon and qualify as witness under oath and examine its officers, agents and employees and other persons in relation to the affairs, transactions and condition of the society. He may in his discretion accept in lieu of such examination the examination of the Department of Insurance of the Province where such society is organized.

If

If any such society or its officers refuse to submit to such examination or to comply with the provisions of the section relative thereto, the authority of such society to write new business in this Province shall be suspended or certificate of registry refused until satisfactory evidence is furnished the Registrar relating to the condition and affairs of the society, and during such suspension the society shall not write new business in this Province.

Effect of society's refusal to give information.

78g. Pending, during, or after an examination or investigation of any such society, either domestic or foreign, the Registrar shall make public no financial statement, report or finding, nor shall he permit to become public any financial statement, report or finding affecting the status, standing or rights of any such society, until a copy thereof shall have been served upon such society, at its home office, or until such society shall have been afforded a reasonable opportunity to answer any such financial statement, report or finding, and to make such showing in connection therewith as it may desire.

Results of investigation to be withheld pending reply.

78h. When the Registrar on investigation is satisfied that any foreign society transacting business under this Act has exceeded its powers, or has failed to comply with any of the provisions of this Act, or is conducting business fraudulently, or is not carrying out its contracts in good faith, he shall notify the society of his findings, and state in writing the grounds of his dissatisfaction, and after reasonable notice require said society, on a date named, to show cause why its certificate of registry should not be revoked. If on the date named in said notice, such objections have not been removed to the satisfaction of the said Registrar, or the society does not present good and sufficient reasons why its authority to transact business in this Province should not be revoked, he may revoke the authority of the society to continue business in this Province. All decisions and findings of the Registrar made under the provisions of this section shall be subject to an appeal to the Appellate Division of the Supreme Court of Ontario.

Cancelling registry of foreign society.

78i. Sections 78d to 78h inclusive, shall apply only to a society which, on or before the 31st day of December, 1917, shall have adopted a resolution at the annual meeting, or at a special meeting called for that purpose, of the Governing Body of the Society declaring that the society is in favour of making the said sections applicable to the society, and upon the passing of such resolution, the said sections shall forthwith become and shall thereafter remain applicable to the society.

Rev. Stat.
c. 183, s. 108,
(5) repealed.

3. Subsection 5 of section 108 of *The Ontario Insurance Act* is repealed.

Rev. Stat.
c. 183, s.
166, ss. 11,
repealed.

4.—(1) Subsection 11 of section 166 of *The Ontario Insurance Act* is repealed and the following substituted therefor:—

(11) Subsections 1 to 6 of this section shall apply not only to any future application for, or contract of, insurance, but also to any application heretofore taken and to any contract heretofore made.

Section
retroactive.

(2) This section shall be deemed to have been in force on and from the 16th day of April, 1912, but nothing in this section shall affect the disposition of any costs in any action now pending or heretofore determined, but such costs shall be awarded and shall be payable as if this section had not been passed.

Rev. Stat.
c. 183, s. 178,
subs. 4,
repealed.

5. Subsection 4 of section 178 of *The Ontario Insurance Act* is repealed and the following substituted therefor:—

Designation
by assured
and subse-
quent re-
marriage.

(4) Where it is stated in the contract or declaration that the insurance money or any part of it is for the benefit of the wife only and she is designated by name, and the wife so designated by name is not the wife living at the maturity of the contract, such insurance money or such part of it shall be for the benefit in equal shares of the wife living at the maturity of the contract and the children of the assured and also the children living at the maturity of the contract of any child of the assured who predeceased him, such last mentioned children taking the share their parent would have taken if living.

CHAPTER 37.

An Act to amend The Hydro-Electric Railway Act
and to confirm certain By-laws and Contracts.*Assented to 27th April, 1916.*

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. This Act may be cited as *The Hydro-Electric Railway Act, 1916.* Short title.

2. Subsections 4 and 5 of section 4 of *The Hydro-Electric Railway Act, 1914*, are repealed and the following substituted therefor:— 4 Geo. V., c. 31, s. 4, subs. 4, 5, repealed.

(4) The agreement shall not be submitted to the electors nor shall any by-law for that purpose be proceeded with by the council of the corporation until the terms of the agreement have been submitted to and have received the sanction of the Lieutenant-Governor in Council. By-law and agreement to be first approved by Lieutenant-Governor in Council.

(5) After such sanction shall have been obtained the council of the municipal corporation or of each of the municipal corporations interested may submit to the vote of the municipal electors authorized to vote on money by-laws, a by-law approving of the agreement and directing its execution, and if a majority of such electors vote in favour of the by-law, the council shall pass the same and the agreement shall be executed as directed by the by-law. Submission of by-law.

(a) The by-law shall not be voted upon by the electors until at least three months have expired since the date of the sanctioning of the agreement by the Lieutenant-Governor in Council nor until the by-law and agreement have been published in the manner provided by *The Municipal Act* in the case of money by-laws, at least once a week for four successive weeks. Rev. Stat. c. 192.

4 Geo. V.,
c. 31, s. 4,
subs. 6,
amended.
5 Geo. V.,
c. 32.

3. Subsection 6 of section 4 of *The Hydro-Electric Railway Act, 1914*, as enacted by section 3 of *The Hydro-Electric Railway Act, 1915*, is repealed, and the following substituted therefor:—

Acquiring
running
rights, etc.

6. The agreement may include in its terms the purchase or leasing or obtaining running rights over any steam railway, electrical railway, or street railway or any part thereof, as part of the line of railway to be constructed and operated by the Commission.

Municipal
corporation
not to sell,
etc., any
railway
without
assent of
electors.

4. Notwithstanding anything contained in any general or special Act heretofore passed by this Legislature, a municipal corporation shall not sell or otherwise dispose of any steam railway, electrical railway or street railway owned by it or of which it has acquired control by foreclosure or other proceedings or under the provisions of any special Act, unless and until a by-law authorizing such sale or other disposal has been submitted to and has received the assent of the municipal electors qualified to vote on money by-laws according to the provisions of *The Municipal Act*.

Rev. Stat.
c. 192.

By-law
approved.

- 5.—(1) The by-law, the form of which is set out in Schedule "A" to this Act, and which has been heretofore submitted to the vote of the municipal electors of the municipalities named in Schedule "B" to the said by-law is declared to have been so submitted in due compliance with the provisions of *The Hydro-Electric Railway Act, 1914*, and when finally passed by the council of any of the municipalities named in the contract appended to the by-law shall be legal, valid and binding upon the corporation and the ratepayers thereof, anything in any general or special Act of this Legislature to the contrary notwithstanding.

4 Geo. V.,
c. 31.

Council to
pass by-law
when
assented to.

- (2) It shall be the duty of the council of every municipality in which such by-law has been approved, or shall hereafter be approved by the electors, to finally pass the by-law and give effect to the same.

By-laws
heretofore
passed con-
firmed.

- (3) The by-laws enumerated in Schedule "B" to this Act are confirmed and declared to be legal, valid and binding upon the respective corporations named in Schedule "B" and the ratepayers thereof, anything in any general or special Act relating to such corporation to the contrary notwithstanding.

6. Subject to the provisions hereinafter contained, the contract set out in Schedule "A" to this Act, and purporting to be made between the Hydro-Electric Power Commission of Ontario, of the first part, and certain municipal corporations shall be deemed to have been made in pursuance of *The Hydro-Electric Railway Act, 1914*, and to comply with the provisions thereof, and the said contract shall be legal, valid and binding upon the Commission and upon every municipal corporation a party thereto and executing the same, anything in the said Act or in any other general or special Act of this Legislature to the contrary notwithstanding.

Agreement confirmed.

7. It shall be the duty of the head and the clerk or treasurer of each of the said municipal corporations to sign the said contract and affix the seal of the corporation thereto within three weeks after the passing of the by-law approving of the same, whether the same shall have been so submitted before or after the passing of this Act.

Execution of agreement.

8. Notwithstanding anything in *The Municipal Act* contained, debentures issued or purporting to be issued by a municipal corporation under the authority of *The Hydro-Electric Railway Act, 1914*, for the purpose of carrying out any contract entered into with the Commission under the authority of the said Act shall not be included in ascertaining the limit of the borrowing powers of the Corporation as prescribed by *The Municipal Act*.

Debentures issued under 4 Geo. V, c. 31, not to be included in municipal debt for certain purposes.

9. Notwithstanding anything in this Act, or in *The Hydro-Electric Railway Act, 1914*, or the amendments thereto—

4 Geo. V, c. 31, when work under contract may be proceeded with.

- (a) No bonds shall be issued for, nor shall any work be undertaken, or expense incurred upon the railways provided for in the contract mentioned in Section 6, until after the close of the present war; and
- (b) No such bonds shall be issued, or work undertaken, or expense incurred thereafter, except at such times and to such amount or extent, and within such periods as may be authorized from time to time by the Lieutenant-Governor in Council;

but the Lieutenant-Governor in Council may, at any time after the passing of this Act, authorize the Commission to enter into agreements for the purchase of the right of way, for any part of such railways, or for the procuring of options therefor.

SCHEDULE "A."

MUNICIPALITY OF THE OF BY-LAW No.

A By-law to authorize a certain agreement made between The Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the of , and other municipal corporations, for the construction, equipment and operation of an Electric Railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

Whereas it is expedient that the Corporation of the of , and other municipal corporations should enter into an agreement under *The Hydro-Electric Railway Act, 1914*, and amendments thereto, with the Hydro-Electric Power Commission of Ontario, hereinafter called the Commission, for the construction, equipment and operation of an electric railway in and through the Municipality of the of , and certain other municipalities, upon the terms and conditions and subject to the provisions set forth and contained in the agreement set out in this by-law, and according to the routes set forth in Schedule "A" to the said agreement;

And whereas the estimated cost of the work under the said agreement is \$13,734,155; and whereas the portion of the cost of the construction and equipment of the line to be borne by the Corporation of the Municipality of the of is estimated at \$, as set out in Schedule "B" to the said agreement, subject to adjustments and apportionment between the Corporations by the Commission from time to time, as provided by the said agreement;

And whereas the total amount estimated to be required for the maintenance of the railway, apart from operating expenses, is \$214,583 (the operating revenue being estimated at \$1,692,175, and operation and maintenance at \$817,025);

And whereas the total annual amount estimated to be required, for the period of ten years immediately following the date of the issue of the bonds to be issued under the said agreement, for interest on the said bonds, is \$686,708; and thereafter, for the next ensuing forty years, the annual amount estimated to be required for sinking fund charges for the retirement of the said bonds is \$137,342, and for interest on the said bonds \$686,708;

And whereas the portion to be borne by the Municipality of the of of the said annual amounts estimated to be required for maintenance, sinking fund charges and interest is estimated at \$ for the first ten years, as aforesaid, and thereafter at \$ on the same basis as the portion of the cost of construction and equipment, as aforesaid, subject to adjustments and apportionment between the Corporations by the Commission from time to time as provided by the said agreement;

And whereas the amount of the whole rateable property of the Corporation according to the last revised assessment roll is \$, and the amount of the debenture debt of the Corporation is \$, of which neither principal nor interest is in arrear;

And whereas only a portion of the Municipality of the of as enumerated in Schedule "C" to the said agreement, is served by said railway;

Therefore the Municipal Council of the Corporation of the of enacts as follows:—

1. It shall be lawful for the Corporation of the of , and the said Corporation is hereby authorized to

to enter into the following agreement with the Hydro-Electric Power Corporation of Ontario and other corporations, the said agreement being hereby incorporated into and forming a part of this by-law, and the _____ and Clerk of the Corporation are hereby authorized and directed to execute the said agreement upon behalf of this Corporation and to attach the Seal of the Corporation thereto.

2. Only those duly qualified electors residing in the _____ of _____, in the district enumerated in Schedule "C" of said agreement shall be entitled to vote on the By-law, and any rate required to be levied for payment of debentures or interest thereon shall be raised, levied and collected from the rateable property in such district only.

AGREEMENT HEREINBEFORE REFERRED TO.

This indenture made the _____ day of _____ in the year _____ of our Lord, one thousand nine hundred and _____

Between

The Hydro-Electric Power Commission of Ontario (hereinafter called the "Commission") of the first part;

and

The Municipal Corporations of the Township of London, the Township of Trafalgar, the Township of Waterloo, the Township of Blanshard, the Township of Wilmot, the Township of Downie, the Township of South Easthope, the Township of Toronto, the Township of Nassagawaya, the Township of Guelph, the Township of Etobicoke, the Township of North Easthope, the Township of Biddulph, the Township of Esquesing, the Township of Puslinch, the Township of Eramosa, the Township of Nelson, the Township of Ellice, the Township of East Zorra, the City of Toronto, the City of London, the City of Berlin, the City of Guelph, the City of Stratford, the Town of Waterloo, the Town of St. Mary's, the Town of Milton, the Village of Mimico, the Village of New Toronto, the Village of Port Credit, and the Village of New Hamburg (hereinafter called the "Corporations"), of the second part.

Whereas pursuant to the *Hydro-Electric Railway Act, 1914*, and amendments thereto, the Commission was requested to enquire into, examine, investigate and report upon the cost of construction and operation of an electric railway or railways to be constructed through certain districts in which the Corporations are situated, together with the probable revenue that would result from the operation of such railway or railways;

And whereas the Commission has furnished the Corporations with such a report showing (1) the total estimated cost, operating revenue and expenses of the railway or railways, and (2) the proportion of the capital cost to be borne by each of the Corporations as set forth in Schedule "B" attached hereto;

And whereas on receipt of the said report the Corporations requested the Commission to construct, equip and operate a system of electric railways (hereinafter called the railway) over the routes laid down in Schedule "A" attached hereto, upon the terms and conditions and in the manner herein set forth;

And whereas the Commission has agreed with the Corporations on behalf of the Corporations to construct, equip and operate the railway upon the terms and conditions and in the manner herein set

set forth; but upon the express conditions that the Commission shall not in any way be liable by reason of any error or omission in any estimates, plans or specifications for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of each of the Corporations have assented to by-laws authorizing the Corporations to enter into this agreement with the Commission for the construction, equipment and operation of the railway as laid down in the said schedules, subject to the following terms and conditions;

And whereas the Corporations have each issued debentures for the amounts set forth in Schedule "B" attached hereto, and have deposited the said debentures with the Commission;

Now, therefore, this indenture witnesseth:—

1. In consideration of the premises and of the agreements of the Corporations herein contained, and subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporations respectively:—

(a) To construct, equip and operate the railway through the districts in which the Corporations are situate on behalf of the Corporations;

(b) To construct and operate the railway over the routes laid down in Schedule "A";

(c) To issue bonds, as provided in paragraph 3 of this agreement, to cover the cost of constructing and equipping the railway;

(d) To furnish as far as possible first-class modern and standard equipment for use on the railway, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railway consistent with good management;

(e) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(f) To utilize the routes and property of the railway for all purposes from which it is possible to obtain a profit;

(g) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and the users of the power lines;

(h) To permit and obtain interchange of traffic with other railways wherever possible and profitable;

(i) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(j) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(k) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating expenses (including electrical power), the cost of administration

administration, and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(l) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(m) To pay over annually to the Corporations, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned. The division of such surplus between the Corporations to be fixed by the Commission on an equitable basis, having regard in the case of each Corporation to the capital invested, the service rendered, the comparative benefits derived, and all other like conditions;

(n) To take active steps for the purpose of constructing, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporations and the deposit of the debentures as called for under clause 2 (b) hereof and to commence operation of each section as soon as possible after its completion;

(o) To make such extensions of the railway described in Schedule "A" as may appear advantageous and profitable from time to time.

2. In consideration of the premises and of the agreements herein set forth, each of the Corporations, for itself, and not one for the other, agrees with the Commission:

(a) To bear its share of the cost of constructing, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission, subject to adjustments and apportionment between the Corporations by the Commission from time to time;

(b) To issue debentures for the amounts set forth in Schedule "B" maturing in fifty years from the date of issue thereof, and payable yearly at the Bank, at Toronto, Ontario. Such debentures shall be deposited with the Commission previous to the issuing of the bonds mentioned above, and may be held or disposed of from time to time by the Commission, as provided for in clause 4 hereof, in such amounts, at such rates of discount or premium, and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained. The amount of debentures of each Corporation sold or disposed of from time to time shall be such proportion as may be fixed by the Commission of the total amount of debentures, due regard being given to the capital invested, the service rendered, the comparative revenue derived, and all other equitable conditions;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisoes and conditions set forth in this agreement intended to be kept and observed and performed by the Corporations, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement;

(e) To furnish a free right of way for the railway and for the power lines of the Commission over any property of the Corporations upon being so requested by the Commission, and to execute such conveyance thereof or agreement with regard thereto as may be desired by the Commission.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds, and to sell or dispose of the same on behalf of the Corporations. Such bonds to be charged upon and secured by the railway, and all the assets, rights, privileges, revenues, works, property and effects belonging thereto or held or used in connection with the railway constructed, acquired, operated and maintained by the Commission under this agreement, and to be for the total amounts mentioned in Schedule "B" hereto attached; provided that the Commission may, upon obtaining the consent as herein defined of the majority of the Corporations, increase the said bond issue by any amount necessary to cover the capital cost of extending the railway, and may also without such consent increase the said bond issue to cover the cost of additional works or equipment of any kind for use on the railway to an extent not exceeding ten per cent. (10%) of the bonds issued from time to time. In order to meet and pay such bonds and interest as the same becomes due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payments of operating expenses (including electrical power) and the cost of administration set aside a sufficient sum to provide a sinking fund for the purpose of redeeming the same at maturity. Debentures issued by the Corporations in compliance with clause 2 (b) hereof, shall, to the extent of the par value of any bonds outstanding from time to time, be held or disposed of by the Commission in trust for the holders of such bonds as collateral security for payment thereof, it being understood and agreed that in the event of any increase of the said bond issue each Corporation shall, upon the request of the Commission, deposit with the Commission additional debentures as described in clause 2 (b) hereof, to be held or disposed of by the Commission as collateral security for such increase of the said bond issue, and that any debentures held by the Commission in excess of the par value of the outstanding bonds from time to time may be held or disposed of by the Commission to secure payment of any deficit arising from the operation of the railway.

4. In the event of the revenue derived from the operation of the undertaking being insufficient in any year to meet the operating expenses (including electrical power), the cost of administration and the annual charges for interest and sinking fund on the bonds, and for the renewal of any works belonging in whole or in part to the railway, such deficit shall be paid to the Commission by the Corporations upon demand of and in the proportion adjusted by the Commission. In the event of the failure of any Corporation to pay its share of such a deficit as adjusted by the Commission, it shall be lawful for the Commission in the manner provided in clause 2 (b) to dispose of debentures held by the Commission as security for any such deficit. Any arrears by any Corporation shall bear interest at the legal rate.

5. Should any Corporation fail to perform any of the obligations to the Commission under this agreement, the Commission may, in addition to all other remedies and without notice, discontinue the service of the railway to such Corporation in default until the said obligation has been fulfilled, and no such discontinuance of service shall relieve the Corporation in default from the performance of the covenants, provisoes and conditions herein contained.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporations shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and each of the Corporations shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporations hereby authorize the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provision being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporations, in writing, of a time and place to hear all the representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination in favour of the applicant, as to the cost incurred or to be incurred for or by reason of any such extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality the Corporation of which is not a party to this agreement shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporations parties hereto will be thereby increased or the revenue and accommodation be injuriously affected without the written consent of the majority of the Corporations parties hereto.

9. The consent of any Corporation required under this agreement shall mean the consent of the council of such Corporations, such consent being in the form of a municipal by-law duly passed by the council of the Corporation.

10. The Commission shall, at least annually, adjust and apportion between the Corporations the cost of construction, equipment operation, interest, sinking fund, and also the cost of renewing the property of the railway.

11. Every railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporations; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

12. Each of the Corporations covenants and agrees with the other:

(a) To carry out the agreements and provisions herein contained;

(b) To co-operate by all means in its power at all times with the Commission to create the most favourable conditions for the carrying out of the objects of the agreement and of the said Act, and to increase the revenue of the railway and ensure its success.

13. In the event of any difference between the Corporations the Commission may, upon application, fix a time and place to hear all representations that may be made by the parties, and the Commission shall adjust such differences, and such adjustments shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under *The Act Respecting Enquiries Concerning Public Matters*.

14. This agreement shall continue and extend for a period of fifty years from the date hereof, and at the expiration thereof be subject to renewal, with the consent of the Corporations from time to time for like periods of fifty years, subject to adjustment and re-apportionment as herein provided for the purposes of this agreement as though the terms hereof had not expired. At the expiration of this agreement

agreement the Commission shall determine and adjust the rights of the Corporations, having regard to the amounts paid or assumed by them respectively under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

15. It is understood and agreed that the rates imposed for the share of the cost to be borne by those municipalities listed in Schedule "C" attached hereto, shall be imposed upon the rateable property set forth respectively in the said schedule.

16. This agreement shall not come into effect until it has been sanctioned by the Lieutenant-Governor in Council.

In witness whereof the Commission and the Corporations have respectively affixed their corporate seals and the hands of their proper officers.

SCHEDULE "A."

ROUTES:

Toronto Terminal-Humber River Section:

From the passenger terminal located near the foot of Yonge Street the line will run westerly to Sunnyside, using Harbour Board property and private right-of-way wherever possible; thence to the Humber River the line will parallel the G.T.R., as at present constructed.

Humber River-Port Credit Section:

From the west limits of the City of Toronto at the Humber River, the line runs westerly parallel to the G.T.R. main line. It crosses the Credit River at a point between the Lake Shore Road and the G.T.R.

Port Credit-Milton Section:

Leaving Port Credit the line crosses the G.T.R. about one mile west, running thence to a point north of Sheridan P.O., and from there directly to Milton.

Milton-Guelph Section:

Crossing the C.P.R. west of the C.P.R. station at Milton, location runs to Township of Esquesing, thence to Township of Nassagaweya, thence to Township of Puslinch, and thence in the general direction of the Eramosa River to Guelph.

Guelph-Berlin Section:

From Guelph the line continues to Berlin, leaving Guelph in a westerly direction and entering Berlin from the north-east. The location lies north of the present G.T.R. between Guelph and Berlin.

Berlin-Stratford Section:

From Berlin the line runs to the G.T.R. main line, which it parallels to a point near Baden, and thence south of the G.T.R. to a point east of Stratford, where it will cross the G. T. R. and enter the city.

Stratford-St. Mary's Section:

From Stratford the line runs in a westerly direction parallel to the old main line of the G.T.R. to a point north of St. Mary's.

St.

St. Mary's-London Section:

The line runs in a south-westerly direction through St. Mary's and thence westerly, crossing the Canadian Pacific Railway at grade, and over the Thames River, running thence parallel to the old main line of the Grand Trunk Railway to a point near Granton; thence in a southerly direction through Biddulph Township to the northern boundary of London Township; thence in a south-easterly direction from concessions 14 to 10, inclusive, in London Township. From this point the line runs in a southerly direction through concessions 9 to 4, inclusive; thence following the Thames River through concessions 3 to 1, inclusive, in London Township, to a point between the Sarnia road and the Thames River, a short distance west of the Warncliffe road outside of the north-westerly boundary line of the City of London. Thence the road runs in a south-easterly direction over private property and city streets, crossing over the Thames River in the City of London, to a point on Bathurst Street; thence easterly along Bathurst Street to the London & Port Stanley Railway, which at present terminates on Bathurst Street, immediately east of Richmond Street.

SCHEDULE "B."

Total amount of debentures to be issued by respective municipalities for deposit with the Commission under clause 2 (b).

Name of Municipal Corporation:

Township of London	\$630,389
Township of Trafalgar	578,921
Township of Waterloo	521,903
Township of Blanshard	402,909
Township of Wilmot	479,065
Township of Downie	418,735
Township of South Easthope	316,262
Township of Toronto	345,355
Township of Nassagaweya	343,147
Township of Guelph	361,025
Township of Etobicoke	401,335
Township of North Easthope	248,585
Township of Biddulph	142,166
Township of Esquesing	91,922
Township of Puslinch	70,300
Township of Eramosa	42,180
Township of Nelson	31,130
Township of Ellice	33,100
Township of East Zorra	39,000
City of Toronto	4,240,196
City of London	1,109,303
City of Berlin	774,040
City of Guelph	734,862
City of Stratford	651,735
Town of Waterloo	193,900
Town of St. Mary's	153,940
Town of Milton	65,000
Village of Mimico	111,200
Village of New Toronto	82,250
Village of Port Credit	54,050
Village of New Hamburg	66,250

Total amount of bonds to be issued,
mentioned in clause 3\$13,734,155

SCHEDULE "C."

Districts, rateable property of which shall bear rate levied against the Corporation:

Name of Municipal Corporation: _____

Made, passed and entered this day of 191 .
.....*Reeve (Mayor).*
.....*Clerk.*

SCHEDULE "B."

By-law No. , of the Municipal Corporation of the Township of London, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of London and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Trafalgar, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Trafalgar and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Wilmot, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Wilmot and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Downie, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Downie and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Toronto, to authorize a certain agreement made between the
Hydro-Electric

Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Toronto and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Nassagaweya, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Nassagaweya and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Guelph, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Guelph and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Etobicoke, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Etobicoke and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Biddulph, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Biddulph and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Township of Esquesing, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Township of Esquesing and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the City of Toronto, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the City of Toronto and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law

By-law No. , of the Municipal Corporation of the City of London, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the City of London and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the City of Berlin, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the City of Berlin and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the City of Guelph, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the City of Guelph and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the City of Stratford, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the City of Stratford and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Town of Waterloo, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Town of Waterloo and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Town of St. Mary's, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Town of St. Mary's and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law

By-law No. , of the Municipal Corporation of the Town of Milton, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Town of Milton and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Village of Mimico, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Village of Mimico and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Village of New Toronto, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Village of New Toronto and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Village of Port Credit, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Village of Port Credit and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

By-law No. , of the Municipal Corporation of the Village of New Hamburg, to authorize a certain agreement made between the Hydro-Electric Power Commission of Ontario and the Municipal Corporation of the Village of New Hamburg and other Municipal Corporations, for the construction, equipment and operation of an electric railway under *The Hydro-Electric Railway Act, 1914*, and amendments thereto.

CHAPTER 38.

An Act to amend The Ontario Telephone Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Telephone Amendment Act, 1916.* Short title.

2. Subsection 10 of section 17 of *The Ontario Telephone Act* is amended by adding after the word “along” in the third line the words “or adjacent to” and by adding after the word “duplicate” in the ninth line the words “or as the Board may determine should be purchased.” Rev. Stat. c. 188, s. 17, subs. 10, amended.

3. Section 17 of the said Act is further amended by adding the following subsection:— Rev. Stat. c. 188, s. 17, amended.

(11a) In fixing the price to be offered or the compensation to be made where part only of a telephone system is proposed to be purchased or expropriated, there shall be included in such price or compensation as the case may be a sum sufficient to compensate the owner of such system for any damages directly resulting from severance. Damages resulting from severance.

4. Subsection 12 of section 17 is amended by striking out the word “three” in the first line and substituting therefor the word “four.” Rev. Stat. c. 188, s. 17, subs. 12, amended.

5. Section 26 of the said Act is amended by adding the following subsection:— Rev. Stat. c. 188, s. 26, amended.

Repairs to
equipment
operated
but not
owned by
company.

- (2a) Where the telephone or other equipment operated in connection with the system of any company is not the property of such company, the owner of such telephone or other equipment shall keep and maintain the same in proper working order, and so as not to impair the efficient operation of said system, and in case such owner fails to do so the company by its servants or agents may at all reasonable times and upon reasonable notice given or request made enter in and upon the premises upon which such telephone or other equipment is situate for the purpose of inspecting and repairing, and where necessary may repair the same, and the company may collect the cost of the repairs so made from the owner of such telephone or other equipment in like manner and with the like remedies as it may collect telephone rates.

Rev. Stat.
c. 188, s. 26,
subs. 6,
amended.

6. Subsection 6 of section 26 of the said Act, as amended by section 16 of chapter 33 of the Acts passed in the 5th year of the reign of His Majesty King George the Fifth, is amended by adding after the word "along" where it first occurs therein the words "or adjacent to and parallel with."

5 Geo. V,
c. 33, s. 21,
amended.

7. Subsection 1 of section 38 of the said Act, enacted by section 21 of chapter 33 of the Acts passed in the 5th year of the reign of His Majesty King George the Fifth, is amended by adding after the word "service" in the sixth line the words "to the members or partners of such unincorporated company, association or partnership or any of them or" and by adding after the word "service" in the fourteenth line the words "to themselves or any of them or."

Rev. Stat.
c. 188,
amended.

8. The said Act is further amended by adding the following sections:—

Mainten-
ance of de-
preciation
fund.

- 32a.—(1) Every telephone company shall out of earnings provide and maintain a proper and adequate depreciation fund whenever the Board shall, after enquiry, determine that such depreciation fund is reasonably necessary, and the Board on such enquiry shall ascertain and determine what is the proper and adequate rate of depreciation of the property of each such company; provided that the Board may make changes in such rate of depreciation from time to time as it may find necessary.

- (2) The moneys carried to the credit of the depreciation fund shall unless the Board otherwise directs be deposited in a chartered bank at interest and may, with the approval of the Board, be expended in new constructions or extensions or additions to the property of the company, or with the like approval may be invested in interest bearing securities; and all interest accruing from any portion of the depreciation fund so deposited or invested, and such portion of the earnings fixed by the Board as attributable to the moneys so expended in new constructions, extensions or additions, shall from time to time be carried to the credit of the said fund.
- 38a. A company shall not issue stock, bonds, notes or other evidence of indebtedness payable at periods of more than twelve months after the date thereof, until it shall have obtained from the Board an order authorizing such issue and the amount thereof, and stating the purposes to which the issue or proceeds thereof are to be applied, and that in the opinion of the Board, the money, property or labor to be procured or paid for by the issue of such stock, bonds, notes or other evidence of indebtedness, is or has been reasonably required for the purposes specified in the order.

CHAPTER 39.

The Municipal Amendment Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Municipal Amendment Act, 1916*.

Rev. Stat.
c. 192, s. 46,
subs. 7,
amended.

2. Subsection 7 of section 46 of the said Act is amended by adding the following words thereto: "In the event of a new division into wards of the said city under the provisions of this Act, this subsection shall become inoperative."

Rev. Stat.
c. 192,
s. 254,
amended.

3. Section 254 of *The Municipal Act* is amended by adding the following subsection:—

Limiting
number of
pool and
billiard
tables and
licenses.

(2) This section shall not prevent the Council under the powers conferred by paragraph 1 of section 420 from limiting the number of licenses and the number of tables to such number as the Council may deem fit even if the number be limited to one, and this subsection shall have effect as if it had been passed on the 13th day of April, 1909.

Rev. Stat.
c. 192, s. 289
(2) cl. (c),
repealed.

4. Clause (c) of subsection 2 of section 289 of *The Municipal Act* as amended by section 18 of *The Municipal Amendment Act, 1915*, is repealed, and the following substituted therefor:—

Assent of
electors
not re-
quired to
borrowing
money for
certain
purposes.

(c) By the council of a county, or of a city which forms part of a county for judicial purposes, for raising money for erecting, rebuilding, enlarging, furnishing and equipping court house and offices to be used in connection therewith, a gaol, a gaoler's residence and a registry office, and for acquiring such land and buildings as may be necessary or convenient for such purposes. This clause shall be deemed to have been in force from the first day of July, 1913.

5. Paragraph 43 of section 400 of *The Municipal Act* is amended by adding thereto the following as clause (b):—

Rev. Stat.
c. 192,
para. 43,
amended.

- (b) All sewer rents shall form a lien and charge upon the real estate upon or in respect of which the same have been assessed and rated or charged and shall be collected in the same manner and with the like remedies as ordinary taxes on real estate are collected under the provisions of *The Assessment Act*.

Rev. Stat.
c. 195.

6. Section 400 of the said Act is amended by adding thereto the following as paragraph 52:—

Rev. Stat.
c. 192,
s. 400,
amended.

WATER TANKS AND TOWERS.

52. For regulating the construction, erection, alteration or repairing of water tanks and water towers whether on buildings or elsewhere, and for prohibiting the construction, erection, altering or repairing of same contrary to such regulations.

Water
tanks and
towers.

7. Section 406 of the said Act is amended by inserting the following therein as paragraph 9a:—

Rev. Stat.
c. 192,
s. 406,
amended.

- 9a. For licensing, regulating and governing massagists and for inspecting and regulating massage parlours, and such by-laws may provide for the enforcement thereof through the Medical Health Department or Police Department of the city or town.

Licensing
and regul-
ating mas-
sagists, etc.

8. Section 409 of *The Municipal Act* is amended by adding the following thereto as paragraph 2b.

Rev. Stat.
c. 192,
s. 409,
amended.

- 2b. Paragraph 2 of this section shall also apply to private hospitals, public dance halls and undertakers' establishments, and for the purpose of this paragraph, any hall, room, or building in which dancing is carried on for which a fee is charged or to which any admission fee is demanded or paid, shall be deemed a public dance hall, but this paragraph shall not apply to a building which was on the 1st day of May, 1916, erected or used for any of such purposes nor to any building the plans for which have been approved of by the city architect prior to the 1st day of May, 1916.

Regulating
location of
private hos-
pitals, dance
halls, and
undertakers'
establish-
ments.

9. Section 411a of *The Municipal Act* as enacted by section 29 of *The Municipal Amendment Act, 1915*, is amended by adding the following as paragraph 2:—

5 Geo. V.,
c. 34, s. 29,
amended.

Removal of
ashes and
garbage.

2. For exercising the powers conferred on cities and towns by paragraphs 5 and 6 of section 406.

Rev. Stat.
c. 192, s. 459,
repealed.

10. Section 459 of *The Municipal Act* is repealed and the following substituted therefor:—

Specifica-
tions for
certain
bridges.

- 459.—(1) Every iron, steel, concrete or stone bridge constructed by the corporation of a county, and every such bridge exceeding twenty feet (20) clear span constructed by the corporation of a township shall be designed and built in accordance with general specifications approved by the Department of Public Highways.

Duplicate
plans to be
submitted.

- (2) Plans in duplicate for any such bridges may be submitted by the council of any county or township to the Department of Public Highways, and if they are found to be in accordance with such approved general specifications the certificate of the Department shall be attached, and one of such plans shall be returned to the clerk of such county or township.

CHAPTER 40.

An Act to amend an Act to Authorize and Confirm Grants by Municipal Corporations for Patriotic Purposes.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) Section 1 of *The Act to authorize and confirm Grants by Municipal Corporations for Patriotic Purposes* is amended by inserting the following clauses:—

5 Geo. V.
c. 37, s. 1.

- (i) Provide, furnish, equip and maintain, improve and alter buildings (other than armouries or drill sheds) to be used as quarters or barrack accommodation for officers and men, members of the Canadian Expeditionary Force, while in training in the municipality for active service during the present war with the naval or military forces of the British Empire and Great Britain's allies; Buildings for barrack accommodation.
- (j) Assist in obtaining recruits for the said Canadian Expeditionary Force; Recruits.
- (k) Purchase musical instruments and musical equipment for any band of a battalion forming part of the said Canadian Expeditionary Force; Band instruments.
- (l) Provide machine guns for the said Canadian Expeditionary Force; Machine guns.
- (m) Any fund established by by-law of any Municipal Corporation to grant aid to the wives, children and dependent relatives of officers and men residents of the municipality who, during the present war, shall die, whilst on active service with the naval and military forces of the British Empire and Great Britain's Allies, such fund to be subject to such conditions and provisos as may be contained in the by-law establishing the same. Fund to aid wives and children of deceased soldiers.

Grants
confirmed.

(2) Any grants heretofore made for any of the purposes mentioned in subsection 1 are confirmed and declared to be legal, valid and binding.

5 Geo. V.,
c. 37,
amended.

2. The said Act is amended by adding thereto the following as section 1a:—

Rateable
property—
what to
include.

1a.—(1) In this Act ‘rateable property’ shall include assessment for real property, income and business or other assessment made under *The Assessment Act*, and the amount raised under the authority of this Act shall be raised, levied and collected upon all the rateable property in the municipality by a general rate, and except as to the exemptions from taxation set out in section 5 of *The Assessment Act*, no partial or total exemption from assessment or taxation, and no fixed assessment or other special provision or agreement shall apply to the assessment and collection of such rate, anything in any general or special Act, or in any municipal by-law or resolution, or in any contract, or other instrument, or in any Order of The Ontario Railway and Municipal Board, or otherwise, to the contrary notwithstanding.

Rev. Stat.
c. 195.

Deduction
of debt in
ascertaining
limit of
borrowing
powers.

(2) In calculating the amount of the indebtedness of the municipality for the purpose of ascertaining if the limit of its borrowing power, as fixed by any general or special Act, has been reached, any debentures issued under the authority of this Act shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same.

Limit
fixed by
Rev. Stat.
c. 192, s. 297
not to
apply.

(3) In calculating whether or not the limit fixed by section 297 of *The Municipal Act* has been reached, any rates levied under the authority of this Act shall be excluded in computing the same.

Issue of
twenty-year
debentures
authorized.

3. Section 2 of the said Act is amended by striking out the word “ten” in the third line and substituting therefor the word “twenty.”

CHAPTER 41.

The Assessment Amendment Act, 1916.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Assessment Amendment Act, 1916.* Short title.

2. Section 5 of *The Assessment Act* is amended by adding the following as paragraph 12a:— Rev. Stat.
c. 195, s. 5,
amended.

12a. Land acquired by any society or association by reason of its being the site of any battle fought in any war, and maintained, preserved and kept open to the public in order to promote the spirit of patriotism. Battle
sites.

3. Subsection 3 of section 22 of *The Assessment Act* is amended by adding the following as column 3a:— Rev. Stat.
c. 195, s. 22,
subs. 3,
amended.

3a Statement whether the person is a British subject or an alien by inserting opposite his name the letters "B.S." or "A." as the case may be.

4. Section 58 of *The Assessment Act* is amended by striking out the words "City or Town," wherever the same occur in the said section, and inserting in lieu thereof the words "City, Town or Village," and by inserting after the word "section" in the fourth line thereof the figures and word "17 or". Rev. Stat.
c. 195, s. 58,
amended.

5. Section 69 of *The Assessment Act* is amended by adding the following as subsection 3a:— Rev Stat.
c. 195, s. 69,
amended.

(3a) In the case of a town, village or township the Court of Revision shall receive as evidence of temporary absence to be received by Court of Revision as from evidence.

from the municipality an affidavit in form similar to the second form of affidavit set out in Form 3 (the necessary changes being made by the use of the third person instead of the first person) of some other person who has and deposes that he has personal knowledge of the matter set forth in the affidavit, if the affidavit is made not earlier than the 10th day next preceding the last day for making complaints to the Court of Revision and is delivered to the clerk before the time for making complaints has expired.

Rev. Stat.
c. 195, s. 81,
repealed.

6.—(1) Section 81 of *The Assessment Act* is hereby repealed and the following substituted therefor:—

Appeals to
Divisional
Court in
certain
matters.

81.—(1) An appeal shall lie to a Divisional Court as hereinafter provided from the judgment of the judge on a question of law or the construction of a statute, a municipal by-law, any agreement in writing to which the municipality concerned is a party, or any order of the Municipal Board (except an order made under section 80).

Noting of
question
of law or
construc-
tion by
County
Judge.

(2) Any party desiring so to appeal to a Divisional Court shall on the hearing of the appeal by the judge request the judge to make a note of any such question of law or construction, and to state the same in the form of a special case for a Divisional Court.

Stating
of special
case by
County
Judge.

(3) It shall be the duty of the judge to make a note of such request, and he may thereupon state such question in the form of a special case, setting out the facts in evidence relative thereto, and his decision of the same, as well as his decision of the whole matter.

Transmit-
ting special
case to
Divisional
Court.

(4) A copy of such special case, signed by the judge, shall be transmitted to the Divisional Court, and the practice and procedure on the appeal shall be the same, *mutatis mutandis* as upon an appeal from a County Court.

Direction by
Divisional
Court to
County
Judge
to state
special
case.

(5) On the application of any party desiring to appeal, and on such notice to the other party and on such evidence as may seem proper to a Divisional Court, that court may if it sees fit direct the county judge to state a special case as in subsection (3) if the judge on the hearing before him refused to do so.

- (6) The statement of any such case, or the hearing or argument or other proceeding thereon shall not delay the final revision of the assessment roll or other proceedings thereon; but if by the judgment of the Divisional Court upon the case stated it shall appear that any alteration should be made in the assessment roll respecting the assessment in question, the county judge on being certified thereof shall cause the proper entries to be made in the assessment roll to give effect to such judgment.

Statement of case not to affect rolls being prepared.

- (7) Where an appeal lies from the decision of the judge to the Municipal Board under section 80 the judge shall not state a case under this section, unless all the parties consent and request him to do so and if a case is so stated an appeal shall not lie to the Municipal Board under section 80.

Statement of case where appeal lies to Municipal Board.

- (2) Subsection 6 of section 80 of *The Assessment Act* is amended by striking out the words "but such appeal shall not lie unless leave to appeal is given by the said Court upon application of any party and upon hearing the parties and the Board" and substituting after the word "law" in the third line the words "or the construction of a statute, a municipal by-law, any agreement in writing to which the municipality concerned is a party, or any order of The Municipal Board".

Rev. Stat. c. 195, s. 80, subs. 6, amended.

- 7.—(1) Subsection 2 of section 154 of *The Assessment Act* is amended by adding at the end thereof the words "or the 15 per cent. and the amount of the charges for searches, postage and notice provided for in subsection 2 of section 171".

Rev. Stat. c. 195, s. 154, subs. 2, amended.

- (2) Section 170 of the said Act is amended by striking out the words "for the use and benefit of the purchaser or his legal representatives" in the sixth and seventh lines.

Rev. Stat. c. 195, s. 170, amended.

- (3) Subsection 2 of section 171 of the said Act is amended by adding at the beginning thereof the words "subject to the provisions of subsections 2 and 3 of section 154".

Rev. Stat. c. 195, s. 171, subs. 2, amended.

- (4) Subsection 5 of section 171 of the said Act is repealed.

Rev. Stat. c. 195, s. 171, subs. 5, repealed.

- (5) The said Act is amended by adding the following as section 172a:—

Application
of redemp-
tion money.

172a.—(1) Out of the redemption money the treasurer shall pay to the purchaser (not being the municipality) or his assigns or other legal representatives the sum paid by him together with 10 per cent. in the case provided for by section 170, and the sum paid by him together with 15 per cent. in the case provided by section 171, and the balance less the lawful costs, charges and expenses of the treasurer shall belong to the municipality.

(2) Where the municipality is the purchaser the whole of the redemption money shall belong to it less the lawful costs, charges and expenses of the treasurer.

Rev. Stat.
c. 195, s. 192,
amended.

8. Section 192 of *The Assessment Act*, as amended by section 9 of *The Assessment Amendment Act, 1915*, is further amended by inserting between the words "Crowland" and "in" in the seventh line thereof the words "and the Township of Stamford."

Rev. Stat.
c. 195,
s. 194, (2),
amended.

9.—(1) Subsection 2 of section 194 of *The Assessment Act* is amended by adding after the words "Parry Sound" in the second line the words "except lands situate in a city or town in such districts."

Rev. Stat.
c. 195,
s. 194,
amended.

(2) The said section 194 is further amended by adding the following as subsection 2a:—

Manage-
ment of
collection
of arrears
of taxes.

(2a) To remove doubts it is declared that the municipal officers of a town situate in the District of Muskoka or Parry Sound have and since the 23rd day of March, 1889, have had the same powers as are conferred by section 191 of this Act on the officers of a town situate in a county.

CHAPTER 42.

An Act to amend The Statute Labour Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 4 of *The Statute Labour Act* is amended by striking out the words “be taxed at one dollar a year therefor” to be levied and collected as the council of the municipality may by by-law direct,” and substituting therefor the following words, “be taxed yearly at not less than one dollar or more than five dollars as may be determined by by-law of the council, and the same shall be levied and collected in the same manner as ordinary municipal taxes.” Rev. Stat.
c. 196, s. 4,
amended.

2. *The Statute Labour Act* is amended by inserting the following section as 9a:— Rev. Stat.
c. 196,
amended.

9a. The council of every township may pass by-laws for regulating the manner and the divisions in which statute labour or commutation money shall be performed or expended. Regulation
of divisions
in which
labour to be
performed.

CHAPTER 43.

An Act to amend The Municipal Drainage Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 198, s. 6,
subs. 1,
repealed.

1. Subsection 1 of section 6 of *The Municipal Drainage Act* is repealed, and the following substituted therefor:—

Assess-
ment of
land af-
fected.

- (1) The engineer or surveyor, in assessing the lands to be benefited or otherwise liable for assessment under this Act, need not confine his assessment to the part of the lot actually affected, but he shall nevertheless in his report show the approximate number of acres contained in the part affected by his assessment.

Rev. Stat.
c. 198, s. 9,
amended.

2. Section 9 of *The Municipal Drainage Act* is amended by adding after subsection 1, the following subsection:—

General by-
law as to
assess-
ments for
culverts,
bridges,
etc., on
highways.

- (1a) It shall be lawful for any municipality to pass a general by-law for the purpose of assuming, as a charge upon the general funds of the municipality, the whole or such portion as such by-law may determine of the construction and maintenance of all bridges or culverts rendered necessary by any drainage work crossing public highways, or portions thereof within such municipality, and when such a by-law has been passed, it shall not be repealed, except with the permission of the referee, and so long as such by-law remains unrepealed, the engineer or surveyor shall, in his assessment, apportion the cost of such bridges and culverts in accordance with the provision of the said by-law.

Rev. Stat.
c. 198, s. 9,
subs. 2,
repealed.

3. Subsection 2 of section 9 of *The Municipal Drainage Act* is repealed, and the following substituted therefor:—

Construc-
tion and
mainten-
ance of
bridges
between
private
lands and
highways.

- (2) The engineer or surveyor shall also in his report and estimates provide for the construction or enlargement of bridges required to afford access from the lands of owners to the travelled portion of

of any public highway and rendered necessary by the drainage work, and shall fix the value of the construction or enlargement thereof to be paid to the respective owners, whose lands require access by means thereof, but after such construction or enlargement such bridges shall be maintained by the owners and neither the lands assessed for the drainage work nor the municipal corporation shall be liable for keeping such bridges in repair after the construction thereof, nor for any consequences resulting from the non-repair thereof.

4. Section 9 of *The Municipal Drainage Act* is amended by inserting therein the following subsection:—

Rev. Stat.
c. 198, s. 9,
amended.

- (5a) The engineer or surveyor shall likewise in his report estimate and allow in money to any person, company or corporation the value to the drainage work of any land belonging to such person, company or corporation which it is necessary to use for the purpose of the construction of a drainage work, or as a site for a pumping station to be used in connection with a drainage work, or as a means of access to any such pumping station; provided, however, that in the latter case the engineer or surveyor may allow for right of way only if in his opinion such right of way is sufficient for the purposes of the drainage work.

Allowance
for right
of way,
pumping
works, etc.

5. Subsection 1 of section 75 of *The Municipal Drainage Act* is repealed, and the following substituted therefor:—

Rev. Stat.
c. 198, s. 75,
subs. 1,
repealed.

- (1) The council of any municipality, liable for contribution to a drainage work in connection with which conditions have changed or circumstances have arisen such as to justify a variation of the original assessment in respect of the drainage work, may apply to the referee upon an application, of which notice has been given to the head of every other municipality interested, for permission to procure the report of an engineer or surveyor varying such original assessment, and in the event of such permission being given such council may procure the report of an engineer or surveyor as aforesaid, and pass a by-law adopting the same, but in case all the lands and roads assessed or intended to be assessed lie within the limits of one municipality, the council of such municipality may procure and adopt such report without such permission.

Varying
original as-
sessment
for main-
tenance.

Rev. Stat.
c. 198, s. 77,
subs. 1,
amended.

6. Subsection 1 of section 77 of *The Municipal Drainage Act* is amended by inserting after the word "work" in the sixth line the words "or to construct a tile drain under the bed of the whole or any portion of such drainage work as ancillary thereto," and by inserting after the word "outlet" in the sixteenth line the words "tile drain."

CHAPTER 44.

An Act to amend the Municipal Arbitrations Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 2 of *The Municipal Arbitrations Act* is amended by adding next after the figures “100,000” in the second line thereof, the following words:—

Rev. Stat.
c. 199, s. 2,
subs. 1,
amended.

“And all claims made jointly against such Corporation and the Corporation of an adjoining municipality.”

CHAPTER 45.

An Act to amend The Public Libraries Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 202, s. 3,
amended.

1. Section 3 of *The Public Libraries Act* is amended by inserting after the word “village” in the second line, the word “township.”

Rev. Stat.
c. 202, s. 4,
subs. 1,
amended.

2. Subsection 1 of section 4 of *The Public Libraries Act* is amended by inserting after the word “town” in the first line, the word “township,” and by inserting after the word “village” in the fourth line, the words “or township.”

Rev. Stat.
c. 202, s. 7,
amended.

3. Section 7 of *The Public Libraries Act* is amended by adding the following subsection:—

Township
boards, how
composed.

2a. The board in a township shall be composed of the reeve of the township, the chairman of the board of police trustees of any police village in the township, and one person appointed by each board of public school trustees in the township and police village, and one person appointed by each board of separate school trustees in the township and police village.

Rev. Stat.
c. 202, s. 7,
subs. 3,
amended.

4. Subsection 3 of section 7 of *The Public Libraries Act* is amended by striking out the words “the body” in the first line and substituting therefor the words “any one of the bodies.”

CHAPTER 46.

An Act to amend The Highway Travel Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Highway Travel Act* is amended by adding the following as section 9a:—

Rev. Stat.
c. 206, s. 9,
amended.

- 9a. Where a person travelling or being upon a highway in charge of a vehicle, other than a motor vehicle, or on a bicycle or tricycle, or on horse-back or leading a horse, meets or overtakes a street car or a car of an electric railway, operated in or near the centre of the travelled portion of the highway which is stationary for the purpose of taking on or discharging passengers, he shall not pass the car or approach nearer than 6 feet measured back or forward from the rear or front end, as the case may be, of the car on the side on which passengers are getting on or off until such passengers have got on or got safely to the side of the street, as the case may be.

Requirement
when ap-
proaching
standing
car.

CHAPTER 47.

An Act to amend The Motor Vehicles Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Motor Vehicles Amendment Act, 1916*.

Administra-
tion.

2. The administration of *The Motor Vehicles Act* is hereby vested in the Department of Public Highways.

Minister
of Public
Works and
Highways.

3. The words "Minister of Public Works and Highways" are substituted for the words "Provincial Secretary" wherever they occur in *The Motor Vehicles Act*.

Rev. Stat.
c. 207, s.
3, amended.

4. Section 3 of *The Motor Vehicles Act* is amended by adding thereto the following as subsection 6:—

Administra-
tion of
declaration
and affi-
davits.

(6) Declarations or affidavits in connection with the issuance of permits and licenses under this Act or required by the regulations of the Department of Public Highways in that regard, may be taken before any person having authority to administer oaths or before any person specially authorized for that purpose by the Lieutenant-Governor-in-Council, but any person so specially authorized shall not charge any fee therefor.

Rev. Stat.
c. 207, s. 4,
subs. (3)
amended.

5.—(1) Subsection (3) of section 4 of *The Motor Vehicles Act* is amended by striking out the words "two members" in the fourth line thereof and substituting therefor the words "one member".

Rev. Stat.
c. 207, s. 4,
subs. (4),
repealed.

(2) Subsection (4) of the said section 4 is repealed and the following substituted therefor:—

"(4)

- "(4) If there is not one appointed member residing in the municipality, the certificate may be signed by one such appointed member residing in the municipality nearest to that in which the applicant resides."

(3) Subsection (1) of section 9 of *The Motor Vehicles Act* is amended by adding thereto the following words:—
 "but this shall not prevent telephone numbers or street addresses being painted on the side of any commercial vehicle."
Rev. Stat. c. 207, s. 9, subs. (1), amended. Telephone numbers and street addresses.

6. Section 10 of *The Motor Vehicles Act* is amended by adding thereto the following as subsection (1a):—
Rev. Stat. c. 207, s. 10, amended.

- (1a) The Lieutenant-Governor-in-Council may make regulations providing for the temporary suspension or modification of any of the provisions of sections 3, 4, 7, 8 and 9 with respect to any person who is a resident of the United States of America and who has complied with the provisions of the law of the State in which he resides as to the registration of motor vehicles and the display of the registration number thereon, and in the case of a driver as to obtaining a license to drive.
Regulations for suspension of certain sections.

7. Subsection (2) of section 10 of *The Motor Vehicles Act* is amended by inserting after the word "Province" in the second line thereof the words "or State".
Rev. Stat. c. 207, s. 10, subs. (2), amended.

8. Section 15 of *The Motor Vehicles Act* is amended by adding after the words "street car" in the first line the words "or a car of an electric railway which is operated in or near the centre of the travelled portion of the highway," and by inserting after the word "car" in the third line the words "or approach nearer than 6 feet measured back or forward from the rear or front end, as the case may be, of the car."
Rev. Stat. c. 207, s. 15, amended.

9. Subsection 3 of section 26 of *The Motor Vehicles Act* is repealed and the following substituted therefor:—
Rev. Stat. c. 207, s. 26, subs. 3, repealed.

- (3) A copy of the certificate, certified by the Minister of Public Works and Highways or Deputy Minister of Highways under the seal of the Department of Public Highways, shall be *prima facie* evidence of the conviction.
Copy of certificate as evidence.

CHAPTER 48.

An Act to amend the Snow Fences Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 211, s. 2,
subs. (1),
amended.

1. Subsection (1) of section 2 of *The Snow Fences Act* is amended by inserting after the word “every” in the first line thereof the word “county.”

Rev. Stat.
c. 211,
s. 4 (1),
amended.

Time for
erection of
snow
fences.

2. Subsection 1 of section 4 of *The Snow Fences Act* is amended by inserting after the word November in the second line thereof, the words “and on and after the first day of January and up to and including the thirty-first day of March.”

CHAPTER 49.

An Act to regulate the Load of Vehicles operated on Highways.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Load of Vehicles Act*. Short title.

2.—(a) In this Act “highway” shall include bridge. Interpretation.

(b) “Vehicle” shall include traction engine, trailer and motor vehicle.

3.—(1) No vehicle shall be operated and no object shall be moved upon wheels, rollers or otherwise over or upon any highway in any municipality in excess of a total weight of twelve tons, or of four and one-half tons on any one wheel, including the vehicle, object and load, without first obtaining a permit as provided by section 4. Restriction on weight of load and vehicle.

(2) No vehicle shall be operated or object moved over or upon such highway which has any flange, rib, clamp or other device attached to its wheels or made a part thereof which will injure the highway, and no vehicle, object or contrivance for moving heavy loads shall be operated or moved upon or over any such highway the weight of which resting upon the surface of said highway exceeds six hundred and fifty pounds upon any inch in width of the tire, roller, wheel or other object, without first obtaining such permit. Prohibition as to use of flanges, clamps or ribs on wheels and restriction as to weight on tires, etc.

(3) The owner, driver, operator or mover of any such vehicle, object or contrivance who has obtained the permit mentioned in section 4 shall nevertheless be responsible for all damages which may be caused to the highway by reason of the driving, operating or moving of any such vehicle, object or contrivance. Responsibility for damages caused to highway.

4.—(1) The municipal corporation or other authority having jurisdiction over the highway may, upon application in writing, grant a permit for the moving of heavy vehicles, loads, objects or structures in excess of a total weight of twelve tons over said highway or for operating or moving over any such highway any vehicle, object or contrivance. Grants of permits.

trivance the weight of which resting upon the surface of said highway exceeds six hundred and fifty pounds upon any inch in width of tire, roller, wheel or other object.

(2) Such permit may be general or may limit the time and the particular highway which may be used, and may contain any special conditions or provisions which may be deemed necessary for the protection of said highway from injury.

(3) The council of any municipality may by by-law provide that such permit may be issued by any officer of the corporation named therein.

Speed.

5.—(1) No vehicle carrying a weight in excess of four tons including the vehicle, shall be operated upon any such highway at a speed greater than ten miles an hour; and no such vehicle carrying a weight in excess of six tons, including the vehicle, shall be operated upon any such highway at a speed greater than six miles an hour when such vehicle is equipped with iron or steel tires, nor greater than eight miles an hour when the vehicle is equipped with tires of hard rubber or other similar substance.

Regulations
limiting
speed on
bridges.

(2) The municipal corporation or other authority having jurisdiction over the highway may make regulations limiting any vehicle passing over a bridge to a speed not exceeding five miles an hour, and notice of the limit of speed fixed by such regulation shall be posted up in a conspicuous place at each end of the bridge.

Width of
vehicle.

6. No vehicle shall have a greater width than 90 inches except traction engines which may have a total width of 110 inches.

Regula-
tions.

7. The municipal corporation or other authority having jurisdiction over the highway may make regulations for the purpose of carrying out the provisions of this Act.

Penalties.

8. Any person who contravenes any of the provisions of this Act or any regulations made or permits granted under the authority thereof shall incur a penalty of not more than \$100, recoverable under *The Ontario Summary Convictions Act*, which shall be paid to the municipal corporation or other authority having jurisdiction over the highway, and shall form a fund for the maintenance and repair of the highway.

Rev. Stat.
c. 90.

Rev. Stat.
c. 212,
amended

9. *The Traction Engines Act* is amended by adding the following as section 14:—

14. This Act shall be subject to the provisions of *The Load of Vehicles Act*.

CHAPTER 50.

An Act intituled The Ontario Temperance Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The Ontario Temperance Act*.

INTERPRETATION.

2. In this Act,

Interpreta-
tion.

- (a) "Board" shall mean the Board of License Commissioners to be appointed under this Act; Board.
- (b) "Vendor's license" shall mean a license authorizing a person, firm or incorporated company to sell subject to the provisions of this Act in the warehouse or store in which such person, firm or incorporated company carry on business alcohol and other liquors to such persons as are entitled to purchase the same; "Vendor's
license."
- (c) "Inspector" shall mean and include a Provincial Inspector and a local inspector appointed under this Act; "Inspector."
- (d) "Licensed premises" shall mean the warehouse or store in respect of which a license under this Act has been granted, and is in force, and shall include every room, closet, cellar, yard, stable, out-house, shed and any other place whatsoever, of, belonging or in any manner appertaining to such warehouse or store; "Licensed
premises."
- (e) "Licensee" shall mean a person holding a license under this Act, and "Vendor" shall have the same meaning; "Licensee."

(f)

"Liquor,"
"Liquors."

(f) "Liquor" or "Liquors" shall include all fermented, spirituous and malt liquors, and combinations of liquors, and drinks and drinkable liquids which are intoxicating, and any liquor which contains more than $2\frac{1}{2}$ per cent. of proof spirits shall be conclusively deemed to be intoxicating;

"Local
Inspector."

(g) "Local Inspector" shall mean an inspector appointed under this Act for a locality;

"Manufactur-
er of
native
wines."

(h) "Manufacturer of native wines" shall mean manufacturer of native wines from grapes grown and produced in Ontario, who has complied with any regulations or restrictions made or passed by the Board;

"Private
dwelling
house."

(i) "Private dwelling house" shall mean a separate dwelling with a separate door for ingress and egress, and actually and exclusively occupied and used as a private residence; but

Certain
places not
to be
deemed.

(i) Without restricting the generality of the above definition of a private dwelling house, among other things which the expression "private dwelling house" does not include or mean, it shall not include or mean and shall not be construed to include or mean any house or building occupied or used or partially occupied or used as an office, other than a duly registered physician's, dentist's, or veterinary surgeon's office, or as a shop, or as a place of business, or as a factory, or as a workshop, or as a warehouse, or as a club-house, or club room, public hall or hall of any society or order, or as a boarding house, or as a lodging house where there are more than three lodgers other than the members of the family, or as a livery stable or garage, or as an inn, tavern, hotel or other house or place of public entertainment or any house or building the rooms or compartments in which are leased to different persons, or any building or house mentioned in section 54 of this Act, or any house or building where for money or other valuable consideration any goods or chattels are kept for sale or sold, or

meals given or lodging provided, nor shall it include or mean or be construed to include or mean any house or building connected by a doorway or covered passage or way of internal communication, except by telephone, with any place where liquor is authorized to be sold under this Act, or with any office, except a duly registered physician's, dentist's or veterinary surgeon's office, or with any place of business, factory, warehouse, workshop, clubhouse, club-room, hall before mentioned, boarding house or lodging house as aforesaid, livery stable, garage, inn, tavern, hotel or other house or place of public entertainment or resort or with any house or building mentioned in section 82 of this Act;

- (ii) Notwithstanding the above restrictions "private dwelling house" shall include also a suite of rooms in an apartment block, in a city, separated and closed off by walls from all other rooms in such block, and without any door or opening whereby communication may be had with any other rooms, save doors opening into a main or common hall, leading with or without stairs into a street or lane; and in which suite there are facilities for cooking, and a family actually residing, cooking, sleeping and taking their meals;
- (j) "Regulations" shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Act; "Regulations."
- (k) "Sale" shall include exchange, barter, and traffic; "Sale."
- (l) "Minister" shall mean the member of the Executive Council, to whom, for the time being, is assigned the supervision of the administration of this Act; "Minister."
- (m) "Magistrate" shall include a justice of the peace, two or more justices of the peace sitting and acting together, and a police magistrate; "Magistrate."
- (n) "Druggist" shall mean a duly qualified and registered pharmaceutical chemist. "Druggist."

LICENSEES.

Form and effect of licenses.

3. Vendor's licenses, written or printed or partly written and partly printed on stamped paper, may be issued subject to the provisions and in the form provided for by schedule A of this Act.

Term of license.

4. All licenses issued under this Act shall be signed by the Minister, and countersigned by the chairman or some other member of the Board, and shall continue in force to and inclusive of the 30th day of April next following the date thereof.

Operation of license.

5. Subject to the provisions of this Act as to removals and the transfer of licenses, every license for the sale of liquor shall be held to be a license only to the person therein named and for the warehouse or store therein mentioned, and shall remain valid only as long as such person continues to be the occupant of the said premises and the true owner of the business there carried on.

Discretion of Board.

6.—(1) The granting or refusing of a license shall be absolutely in the discretion of the Board, and the Board may at any time cancel a license for any cause which it deems sufficient, and shall not be bound to assign any cause for such cancellation.

(2) All permits the issue of which is authorized by this Act may be issued by the Board.

Penalty for licensee selling except as authorized.

7. Every licensee and every partner, clerk, servant or agent of a licensee who sells liquor in any other place or at any other time or in any other quantity, or who sells liquor otherwise than as authorized by the license, and by this Act, shall be guilty of an infraction of section 58.

WHO MAY OR MAY NOT BE LICENSEES.

PARTNERSHIPS.

Granting licenses to partnerships. Rev. Stat. c. 139.

8.—(1) Subject to the conditions and regulations in this Section and in any Order-in-Council respecting the granting of such licenses, a license may be granted or transferred to a firm registered under *The Partnership Registration Act*, if otherwise qualified.

Application for firm license.

(2) The application for such license shall be signed by the firm under its name as registered, and by every person registered as a member of such firm in his own name, and the

the bond or other security to be furnished as provided by section 15 shall be executed and entered into or furnished by each registered member of the firm severally.

(3) Every registered member of the firm shall be severally ^{Liability of members of firm.} liable to the fines and penalties imposed by this Act in the same manner and to the same extent as if he were the holder of the license, and any prosecution for contravention of any provision of this Act in or upon premises the license for which is held by a firm may be carried on against the individual members of the firm or any one or more of them jointly or severally; but not more than one of the members of the firms shall be convicted of the same offence, and the conviction of one of them shall be a bar to the conviction of the other or others of them.

(4) If during the term of the license any change takes ^{Effect of changes in firm.} place in the firm by death, dissolution of partnership, or the retirement of any member, the remaining member or members and the legal representatives of any such deceased member shall within one month thereafter obtain the written consent of the Board to the continuance of the business, and if such consent is not obtained or the license is not transferred as provided by section 26 such license shall be void.

(5) The license granted or transferred to any firm may ^{Cancellation of firm license.} be revoked or cancelled under the circumstances and in the manner provided by section 32 or by any other section of this Act, and those sections shall apply to firms in the same manner and to the same extent as to individuals, and the conviction of any member of the firm shall for the purposes of those sections be deemed to have been the conviction of the firm.

COMPANIES.

9.—(1) Subject to the conditions and regulations in this ^{Licenses to companies.} section respecting the granting of such licenses, a license may be granted or transferred to an incorporated company if otherwise qualified.

(2) The application for such license shall be signed by the ^{Application for company's license.} president and secretary of the company and the corporate seal of the company shall be affixed thereto, and in lieu of the security required by section 15 such security shall be furnished by the company as shall be determined by the Board.

Revocation and cancellation of company's license.

(3) The license granted to any company may be revoked or cancelled under the circumstances and in the manner provided by section 32 or by any other section of this Act, and those sections shall apply to companies in the same manner and to the same extent as to individuals.

DISQUALIFIED PERSONS.

Rejected applicant to be disqualified for three years.

10. If an applicant for a license has at any time or in any place been refused a license on the ground that he is not a fit person to hold a license, no application by such applicant shall be entertained within a period of three years from the last of such refusals, and no application by any person for a license shall be entertained within the said period if a person whose application has been refused for the same premises be living upon the premises of the applicant or be in any way connected with the business proposed to be carried on by such applicant.

Licenses granted to disqualified persons.

11. No license shall be granted or transferred to any person declared by this Act to be a disqualified person during the continuance of such disqualification, and any license issued or transferred to a person so disqualified shall be void; and, if any licensee during the time he holds a license becomes disqualified to be an applicant for a license, the license then held by him shall thereupon become void.

Inspectors disqualified.

12. No license shall be granted under the provisions of this Act to or for the benefit of any person who is an inspector, and no license shall be granted in respect of premises the owner or part owner of which is an inspector, and any license issued in contravention of this section shall be void and every local inspector who knowingly recommends the issue of a license in any such case shall be guilty of an offence against this Act.

APPLICATION FOR LICENSE.

Conditions precedent to grant of license.
Filing application.

13.—(1) No license shall be granted to any person unless

- (a) He has filed his application therefor, with the affidavits and bond hereinafter mentioned, with the local inspector on or before the first day of March in the year in which the license is to be granted;

(b)

- (b) He has given the security required by this Act; Giving security.
- (c) He is certified in writing signed by the inspector Certificate of inspector. to be a person of good reputation and character;
- (d) He has not been convicted of any offence against Absence of convictions. any of the provisions of this Act or any previous Act relating to the granting of licenses for the sale of liquor within three years prior to his application;
- (e) He has complied with the requirements of this Act Compliance with requirements. preliminary to the issue of such license and has received a recommendation by the inspector in favour of the issue of the license;
- (f) The warehouse or store in respect of which he ap- Suitability of premises. plies for a license is such as is required by this Act and suitable for carrying on the business in a reputable manner;

(2) Every application received by the inspector shall be Transmission of application to Board. transmitted by him to the Board.

14. The application for a license shall be in the form Verification of statements in application. given in Schedule "B" to this Act, and shall be accompanied by the affidavits of the applicant and two reputable persons residing in the district verifying the correctness of the statements in such application in the forms 1 and 2.

15.—(1) Before any license is issued, the person apply- Bond by applicant. ing for the same shall enter into a bond to His Majesty, with two good and sufficient sureties, residents of Ontario, to be approved by the local inspector, with the condition and in other respects according to the form, or to the effect given in Schedule "C" to this Act, as is applicable to the case, and such bond shall accompany the application and be filed there-with.

(2) Members of municipal councils, inspectors and con- Disqualification for suretyship. stables shall not be accepted as sureties in the bond to be given under this section.

(3) The penalty mentioned in the bond may on breach of Recovery of penalty. the condition of the bond be recoverable by and shall be payable to His Majesty at the suit of the Attorney-General of Ontario.

Acceptance
of bond of
guarantee
company.

(4) The bond of a guarantee company, approved of by the Lieutenant-Governor in Council under *The Public Officers Act*, may be accepted in lieu of a bond with personal sureties, in which case the necessary changes shall be made in the form of bond given in Schedule "C."

Amount of
security.

16. The amount of the bond shall be for the applicant or principal \$500, and for the sureties \$250 each, and such principal and sureties shall justify by affidavit in the said amounts respectively, but if the bond of a guarantee company is furnished it shall be in the sum of \$500.

Publication
of notice of
applications.

17. The inspector shall, at least fourteen days before the meeting of the Board at which applications are to be considered, cause to be published in at least two issues of some newspaper published in the county or district town, if there is one published therein, or in some other city or town in the county or district (if there is no such newspaper published in the county or district town);

- (a) The name of each applicant for a license, who is not at the time of making the application a licensee in the municipality in which the license is sought to be obtained, or who applies for the licensing of premises not then under license;
- (b) The description of license applied for and the place, described with sufficient certainty, where such applicant proposes to sell;
- (c) The total number of licenses issued during the current license year; and
- (d) The total number of applications for the ensuing year; and he shall also keep a list of all applications, to be entered in a book to be kept by him for the purpose, containing similar information, and such list shall be open to the public for inspection without charge.

Investiga-
tion by in-
spector and
report on
applications.

18. It shall be the duty of the inspector as soon as possible after the first day of March in each year to make an investigation in respect of the application and inspect the building and premises in respect of which the application for license is made and to report in writing to the board and such report shall contain:—

- (a) A description of the buildings or premises in respect of which a license is asked and report on the suitability thereof for the proposed business;
- (b)

(b) If the application is made by a person who, under this or any other law of Ontario heretofore existing, held a license for the same premises during the preceding year for the sale of liquors, a statement showing the manner in which the premises were kept and the business conducted during the existence of the previous license, and the character of the persons frequenting the premises and the number of convictions against the applicant, if any;

(c) A statement of the fitness of the applicant to receive a license and the character and reputation of such applicant;

(d) A statement of any objection against the applicant or the said warehouse or store, and of anything which in the opinion of the inspector should constitute an objection to the granting of the application.

19. All papers in the office of the inspector connected with applications and objections thereto shall be at all times open to the inspection of the public without charge.

Papers in
inspector's
office may
be seen.

20. Any ten or more electors of any polling subdivision may object by petition, or in any similar manner, to the granting of any license within such subdivision on the ground that:—

Objections
to applica-
tions.

(a) That the requirements of this Act preliminary to the hearing of the application or relating to the application or affidavits have not been observed by the applicant, or that the bond filed by the applicant is not a good and sufficient bond for any reason, or that the sureties therein named are not good and sufficient sureties;

(b) That the applicant is of bad fame or character, or of drunken habits, or has within three years previously forfeited a license issued under this or any other law now or heretofore existing respecting the licensing of the sale of liquor; that the applicant has been convicted within the period of three years next preceding the date of the application of a disqualifying infraction of this or any previously existing *Liquor License Act*; or that he has within the period of three years next preceding the date of the application kept a place in which the illicit sale of or dealing in liquors was frequent and notorious; or

(c)

(c) That the premises in question are not such as to comply with the requirements of this Act, or are so constructed or equipped as to facilitate the violation of this Act;

(d) That the applicant cannot comply with or fulfil the conditions or does not possess the qualifications required by section 13 of this Act.

Board may
refuse
license on
other
grounds.

Any of the above grounds on being established shall be sufficient to justify the Board in refusing to grant the application, but the above shall not be the only objections to be considered or given effect to by the Board.

Appointment
and notice
of hearing
application
and objec-
tions to
license.

21. In case notice of objections to the issue of a license is filed and given as aforesaid the Board or some member of the Board shall fix a convenient time and place at which to hear evidence with regard to the application and the objections thereto, and the inspector shall thereupon give notice thereof in writing by registered post to the applicant and to the persons filing objections.

Powers of
Board on
hearing.

22.—(1) At the time and place so fixed for the hearing of evidence regarding such application and objections, or at the time and place fixed by adjournment the Board or a member thereof shall proceed to hear such evidence, and for that purpose shall possess the powers and authority of a judge sitting for the trial of an action, including the subpoenaing, calling and paying of witnesses, maintenance of order and other matters not herein specially provided for shall be followed.

Hearing to
be open to
public.

(2) The hearing of such applications shall be open to the public.

Applicant to
be present.

(3) Every applicant shall be personally present at the hearing of his application, unless he is absent for a reason satisfactory to the Board.

Adjourn-
ment of
hearing.

(4) The Board may from time to time adjourn the hearing of any application.

Who may be
present at
hearing and
be heard.

23. The inspector, the applicant and any person objecting to the application as hereinbefore mentioned, and the representative of any municipality wherein is situated the warehouse or store proposed to be licensed, shall be entitled to be present at such hearing and to be heard personally or by counsel or agent and to produce witnesses and evidence.

24.—(1) On all applications, and whether objections have been made or filed or not, it shall be the duty of the inspector to see that the requirements of this Act preliminary to the hearing of the application have been complied with.

Inspector to see that requirements complied with.

(2) If the inspector certifies in writing to the Board that such requirements have been complied with, but not otherwise, the Board shall proceed to consider every such application and all objections thereto, and all matters concerning the same, and to ascertain whether all the statutory requirements have been complied with, and to take notice of any objection whether the same is filed or not, and whether any person has raised it or not, and to take evidence of witnesses on oath in respect thereof if they deem such evidence necessary or proper, and for the purposes of this section the Board may fix a time and place to hear the parties to the application and any objection thereto in the same way and with the same powers and authority as provided in cases where notice of objection has been formally given as provided by this Act, and the Board after having fully considered the matter may in their discretion grant or refuse the application.

Board to consider and deal with application.

(3) The Board may require the production of evidence as to ownership of business.

TRANSFER OF LICENSES, REMOVAL OF LICENSES.

25. If any person having lawfully obtained a license under this Act removes or intends to remove from the premises in respect of which the said license applies, he may apply to the Board for their written consent to the transfer of such license to the premises to which the licensee has removed or intends to remove, and the Board may, if they see fit, give their written consent to such transfer or may require the licensee to proceed as in the case of transfer of license to another person as hereinafter provided for.

Removal of licensee to other premises.

26. If any person having lawfully obtained a license under this Act dies before the expiration of his license, or sells or otherwise assigns his business or becomes dispossessed of it by operation of law, or if the licensed premises are destroyed by fire or otherwise, the license, subject to sections 27 and 28, shall *ipso facto* become forfeited and be absolutely null and void to all intents and purposes whatsoever.

Death of licensee.

27. The Board may, if it seems proper, give in writing permission for the carrying on of business under any such license in the premises described in such written permission

Permit to executors, etc., to carry on business.

by

by any person who may appear to be entitled to the benefit thereof, but such permission shall not extend beyond the period of one month from the happening of the event from which the forfeiture of the license would result, and such permission shall entitle the person to whom it is granted to the benefit of the license during that month according to the terms of the permission.

Transfer of
license.

28. Any person claiming the benefit of such license may, within such period of one month, apply to the Board for the transfer thereof to him or to other premises as the case may be, and the like proceedings shall be had and taken for the hearing and consideration of such application by the Board as are provided in section 30 hereof in the case of application for a license at other than the regular time.

Security to
apply to new
premises.

29. Any bond or security which the holder of a license may have given for any purpose in relation to such license shall, in case of removal, apply to the warehouse or store to which such removal is authorized; and, in all cases where a party other than the original licensee applies under any circumstances for the transfer of a license to him, he shall furnish such security as may be required in the case of an original application for a license.

Application
for license
after date
of general
issue.

30. If any person, who has not been refused a license within the year next preceding, wishes to apply for a license at any other time than as hereinbefore provided, he may send to the Inspector his application, and thereupon the Inspector, under the direction of the Board, shall advertise such application in the manner provided for by section 17 and all the provisions of this Act as to objections to licenses and the conduct of any proceedings at and subsequent to the regular hearing of applications shall apply to every application made under this section.

Cancellation
on applica-
tion of
licensee.

31. The Board may at any time, upon application by a licensee, cancel the license held by such licensee.

Cancellation
by county
judge where
license
obtained by
fraud, etc.

32.—(1) Where a complaint in writing signed by ten or more ratepayers resident near the warehouse or store referred to in the complaint, or occupied by the person complained against, is lodged with the Inspector, together with the sum of \$20, to be paid to the Treasurer of Ontario, to form part of the Consolidated Revenue Fund, to the effect that the license for any premises or any transfer thereof to another person or to other premises has been obtained by fraud or false statements, or in an improper manner, or that the conditions necessary to the granting of such license do

not exist at the time of the complaint, or that the licensed premises are constructed in such a way as not to be in accordance with the requirements of this Act, or that the licensee is not keeping the licensed premises in an orderly manner or in accordance with such requirements, or that he has been guilty of any infraction of this Act for which his license is declared subject to forfeiture, the inspector shall forthwith give notice of such complaint to the licensee and transmit the complaint to the Judge of the county or district court of the county or district in which such licensed premises are situate, and the Judge shall thereupon fix a time and place when he will hear the complaint, and notice in writing of such time and place shall be mailed by the judge or, at the request of the judge, by the clerk of the county or district court, at least ten days before the hearing, to the person complaining and the persons complained against, and the judge shall proceed to hear and summarily determine the matter of the complaint, and the proceedings in and about the same, including the compelling the attendance and hearing of witnesses, shall, as nearly as possible, be the same as in the case of hearing of an action in the county or district court, and the judge shall, if he finds the complaint established, adjudge that such license ought to be revoked and thereupon shall order that the same be revoked and cancelled accordingly; and thereupon the license shall be and become inoperative and of no effect, and the person to whom such license is issued, shall thereafter during the full period of two years, be disqualified from obtaining any further or other license under this Act.

(2) In the event of the cancellation of a license under subsection 1, the sum of \$20, so deposited with the Treasurer of Ontario, shall be returned to the complainant upon the production of the order of the judge. Return of deposit of complainant.

VENDOR'S LICENSE.

33. A vendor's license shall be in the form given in Schedule "A" to this Act. Vendor's license.

34. A vendor's license shall not authorize the sale of liquor in quantities greater than those mentioned in this Act, or otherwise or in any other place, or to other persons or for other purposes than as provided in this Act. Limitation as to quantities.

35.—(1) No vendor shall sell any alcohol for mechanical or scientific purposes except upon the affidavit of the applicant which shall be in the form in Schedule "D" to this Act, and which shall set forth that the alcohol is required Sale of alcohol for mechanical or scientific purposes.

for

for mechanical or scientific purposes alone, and not to be used as a beverage or to be mixed with any other liquid for use as a beverage, nor to sell, nor to give away, and that it is intended only for the applicant's own use for mechanical or scientific purposes, and that the applicant is over twenty-one years of age, and shall also set forth the quantity desired.

No more than one sale and one delivery to be made.

(2) No more than one sale and one delivery shall be made on one affidavit, and the licensee shall file and retain such affidavit in his office and allow the same to be inspected by any person at any time within one year from the date thereof.

Record of sales by licensee.

36. Every licensee holding a vendor's license and every druggist and wholesale druggist shall keep or cause to be kept an accurate record of each sale and disposal of any liquor made by him, his clerks, servants or agents, in a book to be kept for that purpose, and such record shall be made before the delivery of such liquor and shall show the time when, the name and address of the person to whom the same was made, and the kind and quantity sold.

Hours of sale.

37. No sale or other disposal of liquors shall take place on, out of, or from any licensed premises of a licensee holding a vendor's license, to any person or persons whomsoever, nor shall such licensed premises be open, from or after the hour of seven o'clock on Saturday night until seven o'clock on Monday morning thereafter, or from eight o'clock at night until seven o'clock in the morning on the other days of the week.

Return of records of sales.

38. Every licensee under this Act and every druggist and wholesale druggist shall on the first days of the months of September and March in each year send to the Board a copy of the record mentioned in section 36 of this Act for the months not previously returned, verified by his affidavit attached thereto, and such affidavit shall state that no other sales were made during such months save those mentioned in the copy of the record sent to the Board.

Communication with other premises.

39. Every distiller, brewer or other person licensed by the Government of Canada to manufacture any liquor mentioned in section 45 hereof, and every liquor exporter mentioned in section 46 hereof, and every vendor, who makes or uses or allows to be made or used any internal communication between the premises in which he is entitled to carry on the business of manufacture or sale of any liquor and any other premises, except by means of electric telephone or telegraph, shall be guilty of an offence

and

and liable to a penalty of \$50 for every day during which such communication exists, and in default of payment to one month's imprisonment for each day as aforesaid.

PROHIBITIONS AND REGULATIONS.

40. No person shall by himself, his clerk, servant or agent, expose or keep for sale or directly or indirectly or upon any pretence or upon any device sell or barter or, in consideration of the purchase or transfer of any property or thing, or at the time of the transfer of any property or thing, give to any other person any liquor without having first obtained a license under this Act authorizing him so to do, and then only as authorized by such license and as prescribed by this Act. Keeping for sale.

41.—(1) Except as provided by this Act, no person by himself, his clerk, servant or agent shall have or keep or give liquor in any place wheresoever, other than in the private dwelling house in which he resides, without having first obtained a license under this Act authorizing him so to do, and then only as authorized by such license. Liquor not to be kept in unauthorized places.

(2) No licensee, and no partner, clerk, agent or servant of such licensee, shall allow any liquor to be consumed or drunk within or upon the licensed premises. Consumption of liquor on licensed premises.

(3) This section shall not prevent any person engaged in mechanical business or in scientific pursuits from having in his possession alcohol for mechanical or scientific purposes, as the case may be, in a quantity not exceeding two gallons at any one time, in addition to alcohol used in the preservation of specimens for scientific purposes, or prevent any minister of the gospel from having in his possession wine for sacramental purposes; but no person in this subsection mentioned shall use or consume or allow to be used or consumed any of the liquor which may so be kept by him as a beverage. Alcohol for mechanical or scientific purposes.

(4) Nothing in this section shall prevent the keeping in any public hospital or in any private hospital, sanatorium for consumptives, or private sanitarium, liquor for the use of patients, but no such liquor shall be consumed by any person other than a patient, and then only when prescribed or administered by a physician as provided by section 51 of this Act. Hospitals.

42. Every person, whether licensed or unlicensed, who, by himself, his servant, or agent canvasses for, or receives, or

solicits

solicits orders for liquor for beverage purposes within this Province, shall be guilty of an offence against this Act and shall incur the penalties provided in section 59 of this Act.

Sales under
judicial
process.

43. Nothing in section 40 hereof contained shall apply to sales under execution or other judicial process or for distress, or to sales by assignees or trustees in bankruptcy or insolvency, provided that the stock of liquor is not broken for the purpose of such sale, and nothing in section 49 contained shall prevent common carriers or other persons from carrying or conveying liquor from a place outside of Ontario to a place where the same may be lawfully received and lawfully kept in Ontario, or from a place where such liquor is lawfully kept and lawfully delivered within Ontario to a place outside Ontario, or from a place where such liquor may be lawfully kept and lawfully delivered in Ontario to another place in Ontario where the same may be lawfully kept, or through Ontario from a place outside of it to another place outside of it, but no person during the time such liquor is being carried or conveyed as aforesaid shall open or break or allow to be opened or broken any package or vessel containing the same, or drink or use or allow to be drunk or used any liquor therefrom.

Sale of
native wines.

44.—(1) Subject to any regulations or restrictions which the Board may impose, manufacturers of native wines, from grapes grown and produced in Ontario, may sell the same in wholesale quantities only, that is to say in quantities of not less than five gallons in each cask or vessel at any one time and when sold in bottles not less than one dozen bottles of at least three half pints each at any one time.

Restrictions.

(2) A manufacturer of native wines who sells such wines otherwise than as permitted by this section or who allows any wine so sold or any part thereof to be drunk upon the premises of such manufacturer shall be guilty of an offence against this Act.

Licensed
brewers and
distillers.

45. Nothing herein contained shall prevent any brewer, distiller or other person duly licensed by the Government of Canada, for the manufacture of spirituous, fermented or other liquors, from keeping or having liquor manufactured by him in any building wherein such manufacture is carried on, provided such building does not contravene the provisions of section 39 hereof, or for selling liquor therefrom to a person in another Province or in a foreign country or to a licensee under this Act, nor shall it prevent a distiller from selling to a wholesale or retail druggist distilled liquor.

46.—(1) Nothing herein contained shall prevent any person from having liquor for export sale in his liquor warehouse, provided such liquor warehouse and the business carried on therein complies with the requirements in subsection 2 hereof mentioned, or from selling from such liquor warehouse to persons in other Provinces or in foreign countries. Export sale warehouses.

(2) The liquor warehouse in this section mentioned shall be suitable for the said business and shall be subject to the approval of the Board, and shall be so constructed and equipped as not to facilitate any violation of this Act, and not connected by any internal way or communication with any other building or any other portion of the same building and shall be a wareroom or building wherein no other commodity or goods than liquor for export from Ontario are kept and wherein no other business than keeping or selling liquor as aforesaid is carried on. Requirements as to building.

47. Except as provided by this Act no person shall use or consume liquor in Ontario purchased and received from any person in Ontario, unless it be purchased and received from a licensee, but this section shall not apply to any person who within a private dwelling house innocently uses or consumes liquor not thus purchased and received. Use and consumption of liquor procured in Ontario prohibited.

48. For the purpose of evidence, every brewer, distiller or other person licensed by the Government of Canada and mentioned in section 45 hereof, and every liquor exporter mentioned in section 46 hereof, who makes a sale of liquor in Ontario, shall immediately enter in a book to be kept for that purpose the date of such sale, the kind and quantity sold, the person to whom such sale was made and the person or carrier to whom the same was delivered for carriage; and the failure of such person to make, keep and produce as evidence the said entry and record of such sale shall, in any prosecution under this Act of such person for illegally making such sale of liquor, be *prima facie* evidence against such person of having illegally sold such liquor. Record to be kept by brewers, etc., as evidence.

49.—(1) No person shall by himself or his partner, servant, clerk, agent or otherwise, sell or deliver liquors of any kind to any person not entitled to sell liquor and who sells such liquor or who buys for the purpose of reselling, and any violation of the foregoing provision shall be an offence under this Act. Sale for unlawful re-sale.

(2) No person shall be convicted under this section who establishes to the satisfaction of the magistrate before whom the prosecution is heard that he had reason to believe and did

believe

believe that the person to whom the liquor was sold or delivered, did not sell liquor unlawfully, or did not buy to resell, and that he was entitled to purchase the same.

(3) No person shall take or carry, or employ or suffer any other person to take or carry, any liquor out of any premises where the same is lawfully kept for sale for the purpose of being sold in Ontario by any person except a licensee or as otherwise provided by this Act.

Consumption on licensed or authorized premises forbidden.

50.—(1) No person shall consume any liquor in or upon any licensed premises or in any liquor warehouse mentioned in section 46 hereof, nor in any distillery or brewery mentioned in section 45 hereof, and no person shall purchase any liquor from any person who is not authorized to sell the same for consumption within the Province, and no person who purchases liquor shall drink or cause any one to drink or allow such liquor to be drunk upon the premises where the same is purchased.

Distiller's samples.

(2) Nothing in this Act shall make it unlawful for a distiller to keep or serve in or upon his office premises free samples of such distiller's product to any person to whom such distiller is entitled to sell under this Act.

(a) "Distiller" as used in this subsection shall mean a person, firm or company engaged in distilling liquor.

Offences committed in order to secure conviction.

(3) If it is made to appear to the magistrate before whom any complaint under this Act is heard, that the person charged with the violation of this section was acting as an officer whose duty it was to enforce this Act, or was acting under the instructions or authority of any Board, Inspector or Provincial officer, for the purpose of detecting a known or suspected offender against this Act, and of obtaining evidence upon which he might be brought to justice, the defendant shall not be convicted.

Exemption of witness.

(4) If upon any prosecution under this Act or under any regulation or by-law made or passed under this Act it appears from the evidence of any witness that such witness was unlawfully present at the time or place at which the offence was committed or did unlawfully procure or attempt to procure liquor at such time or place the magistrate before whom the prosecution is brought may, having regard to the demeanour of the witness and his mode of giving evidence, by certificate in that behalf exempt such witness from prosecution for such unlawful act; but no such exemption shall be granted to any person charged with the unlawful keeping
for

for sale or other disposal of liquor nor to the keeper or occupant of premises upon which the offence in respect of which the prosecution is brought is alleged to have been committed.

51.—(1) Any physician who is lawfully and regularly engaged in the practice of his profession, and who shall deem any intoxicating liquors necessary for the health of his patients, may give such patient or patients a written or printed prescription therefor, addressed to a druggist and not exceeding six ounces, except in the case of alcohol for bathing a patient or other necessary purpose, or liquor mixed with any other drug is required when a quantity not exceeding one pint may be prescribed, but no such prescription shall be given except in cases of actual need, and when in the judgment of such physician the use of liquor is necessary, or such physician may administer the liquor himself, and for that purpose may have one quart in his possession when visiting his patients. And every physician who shall give such prescription or administer such liquor in evasion or violation of this Act or who shall give to or write for any person a prescription for or including intoxicating liquor for the purpose of enabling or assisting any person to evade any of the provisions of this Act, or for the purpose of enabling or assisting any person to obtain liquor for use as a beverage, or to be sold or disposed of in any manner in violation of the provisions of this Act, shall be guilty of an offence under this Act.

Rights of
medical
practi-
tioners.

(a) Upon the prescription of a duly qualified medical practitioner a vendor under this Act may sell and supply for strictly medicinal purposes—

(1) Ale, beer, and porter in quantities not exceeding one dozen bottles, containing not more than three half pints each at any one time;

(2) Wines and distilled liquor not exceeding one quart at any one time.

All the provisions of this Act applicable to prescriptions addressed to and the sale of liquor by druggists, save as to quantity, shall apply to prescriptions addressed to and the sale of liquor by a Vendor under this Act.

(2) Any dentist who is a duly registered member of the Royal College of Dental Surgeons of Ontario and who is lawfully and regularly engaged in the practice of his profession, and who shall deem it necessary that any patient being

Dentists.

being then under treatment by him should be supplied with liquor as a stimulant or restorative, may himself administer to such patient the liquor thus needed, and for such purpose he may keep in his office a quantity of liquor not exceeding six ounces at any one time, but such liquor shall not be administered except in the case of actual need and shall not be drunk or consumed by any other person than such patient, and every such dentist who shall administer such liquor in evasion or violation of this Act shall be guilty of an offence against this Act.

Veterinary
surgeons.

(3) Any duly qualified veterinary surgeon may have liquor in his possession for use in his practice not exceeding in quantity one quart, but no person shall drink or consume any of such liquor.

Supplying
to minors.

52. Liquor shall not be given, sold or otherwise supplied to any person apparently under the age of twenty-one years, but this shall not apply to the supplying of liquor to a person under the age of twenty-one years for medicinal purposes only by the parent or guardian of such person or by a druggist upon the prescription of a duly qualified medical practitioner.

Penalty for
sale, etc.,
by clubs.

53.—(1) Every society, association or club heretofore or hereafter formed or incorporated, and every unincorporated society, association or club, and every member, officer and servant thereof, or person resorting thereto, who sells or barterers therein gives liquor to any member thereof or to any other person, and every person who directly or indirectly keeps or maintains, by himself or by associating or combining with any other or others, or in any manner aids, assists or abets in keeping or maintaining, any clubhouse, club or association room or hall or other place in which any liquor is received or kept for the purpose of use, gift, barter or sale as a beverage, or for distribution or division among the members of any society, club or association by any means whatever, and every person who uses, barterers, sells or gives away or assists or abets another in bartering, selling or giving away any liquor so received and kept, shall be held to have violated section 40 of this Act and shall incur the penalties provided for the sale of liquor without license.

Keeping
liquor in
clubs.

(2) The keeping or having any liquor in the house, hall or building, or in any room or place occupied or controlled by any such club, association or society, or by any persons associating or combining together as aforesaid, shall be a violation of subsection 1 of section 41 of this Act.

Proof of
consump-
tion on
premises.

(3) Proof of consumption or intended consumption of liquor in such premises by any member of any such club, association

association or society, or person who resorts thereto, shall be conclusive evidence of sale of such liquor.

(4) The occupant of such premises or any member of the club, association or society, or person who resorts thereto, shall be taken conclusively to be the person who has or keeps or sells therein such liquor and any liquor found on such premises shall be liable to seizure in the manner provided by this Act. Liability of occupant and members.

54. If the occupant of any private dwelling house or of any part thereof is convicted of any offence against any of the provisions of this Act committed in or in respect of such house the same shall be taken to have ceased to be a private dwelling house within the meaning of this Act during the time the person so convicted occupies the said house or any part thereof. Occupant of private dwelling.

55.—(1) Whenever any person has drunk liquor to excess and, while in a state of intoxication from such drinking, has come to his death by suicide or drowning, or perishing from cold or other accident caused by such intoxication, the person or persons who furnished or gave the liquor to such person when in a state of intoxication, or on whose premises it was obtained by such intoxicated person while intoxicated, shall be liable to an action for a wrongful act and as a personal wrong, and subject to the provisions of subsection 2, such action may be brought under *The Fatal Accidents Act*, and the amount which may be recovered as damages shall not be less than \$100 nor more than \$1,500. Fatal accidents caused by use of liquor. Rev. Stat. c. 151.

(2) Any such action shall be brought within six months from the date of the death of such intoxicated person and not afterwards. Limitation of actions.

(3) Where a person is found upon a street, highway or in any public place in this Province in an intoxicated condition he shall be guilty of an offence against this Act, and upon any prosecution for such offence he shall be compellable to state the name of the person from whom and the place in which he obtained the liquor which caused the intoxication, and in case of his refusal to do so he shall be imprisoned for a period not exceeding three months or until he discloses such information. Person found intoxicated compellable to disclose name of persons from whom liquor was obtained.

(a) In this section "public place" shall include any place, building or public conveyance to which the public habitually resort or to which the public generally are admitted either free or upon payment of any charge or fee or by the purchase of tickets or otherwise.

Persons who furnish the liquor liable for certain injuries committed by person intoxicated.

56. If a person in a state of intoxication assaults any person, or injures any property, the person who furnished him with the liquor which occasioned his intoxication, if such furnishing was in violation of this Act, or otherwise in violation of law, shall be jointly and severally liable to the same action by the person injured as the person intoxicated may be liable to; and the person injured, or his legal representatives, may bring either a joint and several action against the person intoxicated and the person or persons who furnished such liquor or a separate action, against either or any of them.

Money paid for liquor sold contrary to this Act may be recovered.

57. Any payment or compensation for liquor furnished in contravention of this Act or otherwise, in violation of law, whether made in money or securities for money, or in labour or property of any kind, shall be held to have been received without any consideration, and against justice and good conscience, and the amount or value thereof may be recovered from the receiver by the party who made the same; and every sale, transfer, conveyance, lien and security, in whole or part, made, granted, or given, for or on account of liquor so furnished in contravention of this Act, or otherwise in violation of law shall be wholly null and void, save only as regards subsequent purchasers or assignees for value, without notice; and no action of any kind shall be maintained, either in whole or in part, for or on account of any liquor so furnished in contravention of this Act, or otherwise in violation of law.

PENALTIES.

Penalty.

58. Every person who offends against any of the provisions contained in sections 7, 37, 40, 41, 43, 49 and 53 of this Act, or in any of them, shall be liable on summary conviction to a penalty for the first offence of not less than \$200 nor more than \$1,000, and in default of immediate payment to imprisonment for not less than three nor more than six months, and if the offence was committed by a licensee or by any person acting under his instructions, or with his privity or consent, he shall also be liable in the discretion of the judge, magistrate, justice or justices of the peace, to have his license forfeited and voided, and for a second offence to imprisonment for not less than six nor more than twelve months, and if the offence be committed by a licensee or any person acting under his instructions or with his privity or consent the license of such licensee shall thereupon become forfeited and void and he shall be incapable of becoming a licensee under this Act for a period of three years thereafter.

59. Every person who offends against any of the provisions contained in sections 35, 36, 42, 47, 50, 51 and 52 of this

this Act, or any of them, shall be liable on summary conviction to a penalty for the first offence of not less than \$50 nor more than \$300, and in default of immediate payment to imprisonment for not less than two months nor more than four months, and for the second offence to a penalty of not less than \$100 nor more than \$500, and in default of immediate payment to imprisonment for a term of not less than four months nor more than eight months; and if the offence was committed by a licensee, or by any person acting under his instructions or with his privacy or consent, the license of such licensee shall thereupon become forfeited and void, and he shall be incapable of becoming a licensee under this Act for a period of three years thereafter.

60. For every offence against this Act or any of the provisions thereof, for which a penalty or penalties has or have not been specially provided by this Act, the person committing the offence shall be liable on summary conviction to a penalty of not less than \$10 nor more than \$100, and in default of immediate payment to imprisonment for a period of not less than ten days nor more than two months. Penalty.

ENFORCEMENT AND PROSECUTIONS.

61.—(1) The duty of seeing that the provisions of this Act are complied with and of enforcing the same and of prosecuting persons offending against such provisions shall devolve upon the Board and the inspectors and other officers appointed pursuant to this Act. But nothing herein contained shall prevent or be construed to prevent any person from laying an information or prosecuting in respect of any offence or supposed offence against the provisions of this Act. Duty of enforcing Act.

(2) All informations or complaints for the prosecution of any offence against any of the provisions of this Act, shall be laid or made in writing, within thirty days after the commission of the offence or after the cause of action arose, and not afterwards, before any Justice of the Peace for the county in which the offence is alleged to have been committed, and may be made without any oath or affirmation to the truth thereof, and the same may be according to Form given in Schedule "F" to this Act or to the like effect. Information.
When to be laid.
Form.

(3) All prosecutions under this Act, whether for the recovery of a penalty or otherwise, shall take place before two or more justices of the peace or a police magistrate having jurisdiction, except in the case of a licensee or for any offence committed on or with respect to licensed premises which may be tried by one Justice of the Peace. All other prosecutions may be before two or more Justices.

Duties of
Provincial
Inspector.

62. A provincial inspector shall examine the books and accounts of each local inspector for the purpose of ascertaining whether the same are properly kept and all entries properly made, and shall examine into the accounts and mode of inspection of each inspector and into the way in which he enforces the provisions of this Act, and shall ascertain whether or not the duties of the local inspector are faithfully and efficiently performed, and may hold investigations into the conduct of any local inspector as to the enforcement of this Act or any alleged violation or evasion of it, and for that purpose shall have and may exercise all the powers which may be conferred upon a commissioner appointed under *The Public Inquiries Act*.

Rev. Stat.
c. 18.

Duty of
inspectors.

63. Every local inspector shall perform the duties specially devolving upon him under any provisions of this Act and shall inspect all licensed premises and other premises in his locality where liquor may be lawfully kept for sale, and he shall see that all provisions of this Act are observed and enforced in his district and that all persons offending against such provisions are promptly prosecuted, and he shall perform such other duties as may be assigned to him in respect of this Act and its enforcement by the Board.

Inspectors,
policemen,
etc., to be
within Act.

64.—(1) Every inspector and Provincial officer appointed under this Act and every policeman or constable shall be deemed to be within the provisions of this Act, and it shall be his duty to carry out and enforce the same; and, when any information is given to any such inspector, policeman or constable that there is cause to suspect that some person is violating any of the provisions of this Act, it shall be his duty to make diligent inquiry into the truth of such information and to enter complaint, in his own name, of such violation before the proper magistrate, without communicating the name of the person giving such information.

Penalty.

(2) Every inspector, policeman or constable neglecting or refusing to carry out and enforce this Act shall incur a penalty of \$10, and may be summarily dismissed from office.

Duties of
officers and
Crown
Attorneys
on receiving
information
of infringement
of
this Act.

65. Where any information is given to any officer, policeman, constable, or inspector that there is cause to suspect that some person is contravening any of the provisions of this Act, it shall be his duty to make diligent enquiry into the truth of such information, and to enter complaint of such contravention before the proper Court, without communicating the name of the person giving such information; and it shall be the duty of the Crown Attorney within the county in which

the offence is committed to attend to the prosecution of all cases committed to him by an inspector or officer appointed under this Act by the Lieutenant-Governor.

66.—(1) Any officer, policeman, constable or inspector may, for the purpose of preventing or detecting the contravention of any of the provisions of this Act which it is his duty to enforce, at any time enter into any and every part of any place of public entertainment, shop, warehouse or other place wherein refreshments or liquors are sold, or reputed to be sold, and may make searches in every part thereof and of the premises connected therewith, as he may think necessary for such purpose. Right of search.

(2) Every person being therein, or having charge thereof, who refuses or fails to admit such officer, policeman, or constable, or inspector demanding to enter in pursuance of this section in the execution of his duty, or who obstructs or attempts to obstruct the entry of such officer, policeman, constable or inspector, or any such searches as aforesaid, shall be guilty of an offence against this Act. Penalty for refusing to admit officer.

67. Any magistrate having jurisdiction upon information by any officer, policeman, constable or inspector that there is reasonable ground for belief that any liquor is being kept for sale or disposal contrary to the provisions of this Act in any house or place within the jurisdiction of such magistrate, may issue a warrant under his hand, by virtue whereof the person named in such warrant or any constable to whom it is directed or delivered, at any time or times within ten days from the date thereof, may enter, and, if need be, by force, the place named in the warrant, and every part thereof, or of the premises connected therewith, and examine the same and search for liquor therein; and for this purpose the person executing the warrant may, with such assistance as he deems expedient, break open any door, lock, or fastening of such premises, or any part thereof, or of any closet, cupboard, box or other receptacle likely to contain any such liquor; and in the event of any liquor being so found on the said premises, the occupant thereof shall, until the contrary is proved, be deemed to have kept such liquor for the purpose of sale contrary to the provisions of section 40. Search warrant.

68.—(1) Where any inspector, policeman, constable or officer in making or attempting to make any search under or in pursuance of the authority conferred by the next preceding two sections or under the warrant mentioned in the next

preceding

preceding section, finds in an unlicensed house or place any liquor which in his opinion is unlawfully kept for sale or disposal contrary to this Act, he may forthwith seize and remove the same, and the vessels in which the same is kept, and upon the conviction of the occupant of such house or place, or of any other person for keeping liquor for sale in such house or place without license, the magistrate making such conviction, may in and by such conviction, or by a separate or subsequent order, declare such liquor and vessels, or any part thereof, to be forfeited to His Majesty, to be destroyed or otherwise dealt with in such manner as the Minister may direct.

Officer may demand names and addresses of frequenters of unlicensed premises.

(2) Any inspector, policeman, constable or officer having in pursuance of the next two preceding sections or either of them entered any unlicensed premises in which he seizes or from which he removes any liquor, may demand the name and address of any person found therein, and if such person refuses to give his name and address, or if the inspector, policeman, constable or officer has reasonable ground to suppose that the name or address given is false, may examine such person further as to the correctness of such name or address, and may if such person fails upon such demand to give his name or address or to answer satisfactorily the questions put to him by the inspector, policeman, constable or officer, apprehend him without warrant and carry him, as soon as practicable, before a Justice of the Peace.

Penalty upon persons found.

(3) Any person so found on the premises who in answer to the inspector, policeman, constable or officer, refuses to give his name and address or gives a false name or address, or gives false information with respect to such name or address, or fails to answer satisfactorily the questions put to him by the inspector, policeman, constable or officer, shall incur a penalty of not less than \$10 nor more than \$20, and in default of payment shall be imprisoned for a period of not less than twenty and not more than forty days.

If no conviction liquor shall be returned.

69. If the occupant or other person as aforesaid be not convicted of keeping the liquor or any part thereof for sale, the inspector, policeman, constable or officer so seizing the liquor shall return the same to the place where such seizure was made: and he and any other person acting with him, or by or under his direction, and the policeman, constable or other officer so acting shall be a public officer within the meaning of *The Public Authorities Protection Act*.

Rev. Stat. c. 89.

Right to seize liquor in transit.

70.—(1) Where an inspector, policeman, constable or officer finds liquor in transit or in course of delivery upon the premises of any railway company, or at any wharf, rail-

way

way station, express office, warehouse or other place, and believes that such liquor is to be sold or kept for sale in contravention of this Act, he may forthwith seize and remove the same together with the package or packages in which such liquor is contained.

(2) Any inspector, policeman, constable or officer, if he believes that liquor intended for sale or to be kept for sale in contravention of this Act, is contained in any vehicle on a public highway or elsewhere, or is concealed upon the land of any person, may enter and search such vehicle, and may enter upon and search such land and seize and remove any liquor found there and the vessels in which the same is kept; or if he finds either upon the public highway or elsewhere, any trunk, box, valise, bag or other receptacle whatever which he believes contains liquor for sale in contravention of this Act he may forthwith seize and remove the same together with the package or packages in which such liquor is contained whether in the custody of or under the control of any person or not.

Or to search
vehicle and
lands for
liquor.

(3) Where liquor has been seized under subsection 1 or subsection 2 the person seizing the same shall give information under oath before a justice of the peace, who shall thereupon issue his summons directed to the shipper, consignee or owner of the liquor if known, calling on him to appear at a time and place named in the summons and show cause why such liquor should not be destroyed or otherwise dealt with as provided by this Act.

Proceedings
before a
justice in
such case.

(4) It shall be sufficient service of the summons if the same is delivered to the shipper, consignee or owner, or be left with some grown-up person at the express office, railway station or other place in which the liquor is found or to the owner of the lands on which the same is found.

Service of
summons.

(5) The summons shall be made returnable within thirty days after the service thereof.

When re-
turnable.

(6) At the time and place named in the summons any person who claims that the liquor is his property and that the same is not intended to be sold or kept for sale in violation of this Act may appear and give evidence before the justice, and the justice shall receive such evidence and the evidence of the person who seized the liquor and such other evidence as may be adduced in the same manner as upon a complaint or information made under this Act.

Evidence.

(7) If no person claims to be the owner of the liquor, or if the justice disallows such claim, and finds that it was intended

Liquor
seized, how
dealt with.

intended that such liquor was to be sold or kept for sale in contravention of this Act he may order that such liquor and any vessels containing the same shall be forfeited to His Majesty to be destroyed or otherwise dealt with in such manner as the Minister may direct.

To be restored to owner in certain cases.

(8) If the justice finds that the claim of any person to be the owner of the liquor is established, and that it does not appear that it was intended to sell or keep such liquor for sale in contravention of this Act he shall dismiss the complaint and order that such liquor be restored to the owner.

Shipping in fictitious name evidence of intention to sell unlawfully.

(9) If it appears to the justice that such liquor or any part thereof was consigned to some person in a fictitious name or was shipped as other goods, or was covered or concealed in such manner as would probably render discovery of the nature of the contents of the vessel, cask or package in which the same was contained more difficult, it shall be *prima facie* evidence that the liquor was intended to be sold or kept for sale in contravention of this Act.

Rev. Stat. c. 69.

(Note.—*Liquor seized under this Act cannot be replevied. See The Replevin Act.*)

Disposal of liquor forfeited.

71. Any liquor forfeited under this Act to His Majesty and directed by the Minister to be sold shall be sold to a license holder only and the proceeds after the payment of any lawful costs of carriage and the expenses of the seizure and sale shall be paid to the Treasurer of Ontario for the use of the Province.

PROSECUTIONS.

Procedure.

72. Except so far as otherwise expressly provided by this Act, the penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*; and the provisions of the said Act shall apply to every prosecution hereunder.

Rev. Stat. c. 90.

Interference of magistrates.

73. When any prosecution under this Act is brought for hearing and determination before any police magistrate, no other magistrate shall sit or take part therein except for the purposes of making a remand or adjournment by reason of the absence of such police magistrate.

Depositions of witnesses.

74.—(1) The Magistrate shall cause the depositions of the witnesses examined before him to be written in a legible hand and on one side only of the sheet of paper on which they are written, and shall read the same over to the witnesses, who shall sign the same.

(2) Instead of proceeding as provided in subsection 1 a stenographer may, with the consent of the magistrate, be employed to take down the evidence or any part thereof in shorthand, and the stenographer before acting shall take oath that he will truly and faithfully report the evidence.

Stenographer may be employed.

(3) Where evidence is taken in shorthand it shall not be necessary that the same shall be read over to or be signed by the witness, but it shall be sufficient if the transcript is signed by the Magistrate and is accompanied by an affidavit of the stenographer that it is a true report of the evidence.

When so taken have copies verified.

75. Several charges of contravention of this Act committed by the same person on the same day may be included in one and the same information or complaint; provided that such information and complaint and the summons issued thereon contain the time and place of each contravention.

Including several charges in one information.

76. The description of any offence under this Act in the words of this Act or in words of like effect, shall be sufficient in law; and any exception, exemption, proviso, excuse or qualification, whether it does or does not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information; but, if it be so specified or negatived, no proof in relation to the matter so specified or negatived shall be required on the part of the informant or complainant.

Sufficient description of offence.

77. In describing offences respecting the sale or keeping for sale or other disposal of liquor, or the having, keeping, giving, purchasing, receiving or the consumption of liquor, in any information, summons, conviction, warrant or proceeding under this Act, it shall be sufficient to state the sale, or keeping for sale or disposal, having, keeping, giving, purchasing, receiving or consumption of liquor simply, without stating the name or kind of such liquor, or the price thereof, or any person to whom it was sold or disposed of, or by whom it was taken or consumed, or from whom it was purchased or received, and it shall not be necessary to state the quantity of liquor so sold, kept for sale, disposed of, had, kept, given or consumed, except in the case of offences where the quantity is essential, and then it shall be sufficient to allege the sale or disposal of more or less than such quantity.

Particulars to be stated in charge.

78.—Notwithstanding anything in this Act, at any time before judgment the magistrate or justice or justices may amend or alter any information and may substitute for the offence charged therein any other offence against the provisions of this Act; but, if it appears that the defendant has

Powers as to amendment.

has been materially misled by such amendment, the said magistrate, justice or justices, shall thereupon adjourn the hearing of the case to some future day, unless the defendant waives such adjournment.

Compelling
attendance
of wit-
nesses.

79. In any prosecution under this Act the police magistrate, justice or justices of the peace, trying the case, may summon any person represented to him as a material witness, in relation thereto; and, if such person refuse or neglect to attend pursuant to such summons, the police magistrate, justice or justices of the peace may issue his warrant for the arrest of such person, and he shall thereupon be brought before the police magistrate, justice or justices of the peace, and, if he refuses to be sworn or to affirm, or to answer any question touching the case, he may be committed to the common gaol of the county or judicial district or to a lock-up, there to remain until he consents to be sworn or to affirm and to answer.

Production
of docu-
ments.

80. Any person summoned as a party to, or as a witness in, any proceeding under this Act may, by the summons, be required to produce at the time and place appointed for his attendance all books and any papers, accounts, deeds and other documents including a license, in his possession, custody or control relating to any matter connected with the said proceeding, and shall be liable to the same penalties for non-production of such books, papers or documents as he would incur by refusal or neglect to attend pursuant to such summons, or to be sworn or answer any question touching the case.

Proof of
license.

81. In any prosecution or proceeding under this Act, in which proof is required respecting the issue, transfer or cancellation of any license, a certificate under the hand of a member of the Board shall be *prima facie* proof of the existence, transfer or cancellation of such license, as the case may be, and, in case of issue or transfer, of the person to whom the same was granted or transferred; and the production of such certificate shall be sufficient *prima facie* evidence of the facts therein stated, and of the authority of the member of the Board, without any proof of his appointment or signature.

Prima facie
evidence of
sale.

82. Any house, shop, room or other place in which it is proved that there exists a beer pump, or any other appliance similar to those usually found in hotels and shops where liquors are accustomed to be sold or trafficked in, other than those of common use in private houses, unless it be
shown

shown that such articles so found are used for legitimate purposes shall be evidence that it is a place in which liquors are kept or had for the purpose of being sold, bartered or trafficked in, in contravention of this Act; and the occupant of such house, shop, room or other place shall be taken to be the person who has or keeps therein such liquors for sale, traffic or barter therein.

83. In proving the sale or disposal, giving, purchasing or receiving gratuitously or otherwise, or consumption of liquor, for the purpose of any proceeding relative to any offence under this Act, it shall not be necessary to show that any money actually passed, or any liquor was actually consumed, if the magistrate or justice or justices hearing the case is or are satisfied that a transaction in the nature of a sale or other disposal, giving, purchasing or receiving actually took place, or that any consumption of liquor was about to take place; and proof of consumption or intended consumption of liquor on premises on which such consumption is prohibited, by some person not authorized to consume liquor thereon, shall be evidence that such liquor was sold or given to the person consuming or being about to consume, or carry away the same, as against the occupant of the said premises.

Proof of consideration for illegal sale unnecessary.

84. The occupant of any house, shop, room or other place in which any sale, barter or traffic, having, keeping or giving liquor, or any matter, act or thing, in contravention of any of the provisions of this Act, has taken place, shall be personally liable to the penalty and punishments prescribed by this Act, notwithstanding such sale, barter or traffic, having, keeping or giving be made by some other person who cannot be proved to have so acted on, under or by, the directions of such occupant, and proof of the fact of such sale, barter or traffic, having, keeping or giving, or other act, matter or thing by any person in the employ of such occupant or who is suffered to be or remain in or upon the premises of such occupant, or to act in any way for such occupant, shall be *prima facie* evidence that such sale, barter, traffic, having, keeping or giving or other act, matter or thing took place with the authority and by the direction of such occupant.

Liability of occupant.

85. The burden of proving the right to have or keep or sell or give liquor shall be on the person accused of improperly or unlawfully having or keeping or selling or giving such liquor.

Burden of proof of right to sell.

86. In any prosecution under this Act in respect of any sale, purchase, disposal, giving, having, keeping or receiving of liquor, it shall not be necessary that any witness depose

Precise description of liquor unnecessary.

directly

directly to the precise description of the liquor sold, purchased, disposed of, given, had, kept or received, or the precise consideration, if any, therefor.

Onus of
proof of
license.

87. In any prosecution under this Act whenever it appears that the defendant has done any act or been guilty of any omission in respect of which, were he not duly licensed, he would be liable to some penalty under this Act, it shall be incumbent upon the defendant to prove that he is duly licensed and that he did the said act lawfully.

Proof of
possession
prima facie
evidence
of offence.

88. If, in the prosecution of any person charged with committing an offence against any of the provisions of this Act in the selling or keeping for sale or giving or keeping or having or purchasing or receiving of liquor, *prima facie* proof is given that such person had in his possession or charge or control any liquor in respect of, or concerning which, he is being prosecuted then unless such person prove that he did not commit the offence with which he is so charged he may be convicted accordingly.

Signs and
fittings
prima facie
evidence.

89. The fact of any person who is not the holder of a license under this Act keeping up any sign, writing, printing or other mark, in or near to his house or premises, or having such house fitted up with a bar or other place containing bottles or casks displayed so as to induce a reasonable belief that such house or premises is or are licensed for the sale of any liquor or that liquor is sold or served therein, or that there is on such premises more liquor than is reasonably required for the persons residing therein, shall be deemed *prima facie* evidence of the unlawful sale and keeping for sale and having and keeping of liquor by such person.

Certificate
of govern-
ment
analyst
as evidence.

90. In any prosecution under this Act the production by the inspector or any officer of the Crown or by any other person concerned in such prosecution of a certificate signed or purporting to be signed by the Government analyst as to the analysis of any liquor and of an affidavit attesting the signature of such analyst, shall be conclusive evidence of the facts stated in such certificate.

Inspector's
expenses to
be allowed
for attend-
ing court.

91.—(1) In any prosecution under this Act, if the inspector attends the court as prosecutor or witness and travels to attend such court a distance of more than three miles from his place of residence, the magistrate trying the case may tax against the defendant, in case of conviction, as

costs in the cause to cover railway fare or hire of conveyance of the inspector in attending the said prosecution,

- (a) if the inspector travels by railway or stage the fares Railway or stage fare. actually required to be paid by him;
- (b) if by a hired conveyance, the sums actually required Hired conveyance. to be paid for a horse, conveyance and tolls;
- (c) if in his own conveyance, ten cents per mile one His own conveyance. way;
- (d) to cover all other expenses \$1 per day; and Other expenses.
- (e) in cases of adjournment at the instance of the de- Adjournments. fendant, similar additional allowances, where the inspector is actually in attendance.

(2) The mileage or other expenses shall be verified by the Verification. affidavit of the inspector.

(3) The inspector shall make quarterly returns in detail Inspector to make quarterly returns. under oath to the Board of all sums received by him for mileage, and other expenses, in this section provided for.

APPEALS.

92.—(1) In any prosecution for any offence against any provision of this Act for which any penalty or punishment is prescribed, a conviction or order of the magistrate, except Conviction of Justice final except as otherwise provided. as hereinafter mentioned, shall be final and conclusive.

(2) Subject to the provisions of the following subsections an appeal shall lie to the Judge of the county or district court of the county or district in which the conviction is made, sitting in Chambers without a jury, in all cases where the person convicted is either a druggist or a licensee or the conviction is for any offence committed on or with respect to premises licensed under this Act, if a notice of such appeal is given to the prosecutor or complainant within five days after the date of the conviction. Procedure on appeals.

(3) The person convicted, in case he is in custody, shall either remain in custody until the hearing of such appeal before the Judge, or, where the penalty of imprisonment with or without hard labour is adjudged, shall enter into a recognizance of two sufficient sureties, in the sum of \$200 each, before the convicting magistrate, conditioned personally Appellant to enter in to a recognizance

or deposit
amount of
penalty and
costs.

ally to appear before the Judge, and to try such appeal and abide by his judgment thereupon, and to pay such costs as he may order; and if the appeal is against a conviction whereby only a penalty or sum of money is adjudged to be paid, the appellant may, although the order directs imprisonment in default of payment, instead of remaining in custody as aforesaid, enter into such recognizance, or may deposit, with the magistrate convicting the amount of the penalty and costs, and a further sum of \$25 to answer the respondent's costs of appeal.

Justices to
transmit
deposition to
Clerk of
County
Court.

(4) Upon the recognizance being entered into or deposit made, the magistrate shall liberate such person if in custody and shall forthwith deliver or transmit by registered post, the depositions and papers in the case, with the recognizance or deposit, as the case may be, to the clerk of the county or district court of the county or district wherein such conviction was had.

Clerk's fees.

(5) The appellant shall pay to the clerk of the court, for his attendance and services in connection with such appeal, the sum of \$1, and the same may be taxed as costs in the cause.

Appeals in
dismissed
cases.

(6) An appeal shall lie to the Judge of the county or district court of the county or district in which an order of dismissal is made, sitting in Chambers without a jury, where the Attorney-General of Ontario so directs in all cases in which an order has been made by a magistrate dismissing an information or complaint laid by an inspector or by any one on his behalf for contravention of any of the provisions of this Act if notice of such appeal is given to the defendant or his solicitor within fifteen days after the date of such order of dismissal.

Summons
to show
cause.

(7) Within ten days after service of the notice of appeal the Judge shall grant a summons calling upon the defendant and the magistrate making the order to show cause why the order of dismissal should not be reversed and the case reheard.

Order of
Judge on
return of
summons.

(8) Upon the return of the summons the Judge, upon hearing the parties, may either affirm or quash the order, or if he thinks fit may hear the evidence of such other witnesses as may be produced before him, or the further evidence of any witnesses already examined, and may make an order affirming the order of dismissal, or may reverse such order
and

and convict the defendant and may impose such fine and costs or other penalty as is provided by this Act, and the order so made shall have the same effect and shall be enforced in the same manner as is provided in the case of a conviction before a magistrate under this Act.

(9) The practice and procedure upon such appeals, and all the proceedings thereon, shall thenceforth be governed by ^{Rev. Stat. c. 90 to apply.} *The Ontario Summary Convictions Act*, so far as the same is not inconsistent with this Act.

93. On an appeal from a conviction or order, to the County or District Judge under this Act, where costs are ^{Costs on appeal from conviction.} directed to be paid by either party, no greater costs shall be taxable by or against either party as between party and party than the sum of \$10, and the actual and necessary disbursements in procuring the attendance of witnesses and the fees to which the clerk of the peace is lawfully entitled; and the fees chargeable by the clerk of the peace upon any such appeal shall not exceed the sum of \$2.

94.—(1) An appeal by the inspector, or other prosecutor, shall lie to a Divisional Court of the Appellate Division of the Supreme Court of Ontario from the decision, judgment, or order of any Judge of a county or district court upon an appeal from any conviction or order made in a case arising out of or under this Act in which a conviction or order has been quashed, or set aside, upon the ground, directly or indirectly, of the invalidity of any Act of this Legislature, or of any part thereof, or from the decision, judgment or order of the Judge of a county or district court in any other case arising out of or under this Act in which the Attorney-General of Ontario certifies that he is of opinion that the matters in dispute are of sufficient importance to justify an appeal. ^{Appeal to Divisional Court.}

(2) Such appeal shall be had upon notice thereof to be given to the opposite party of the intention to appeal within eight days, or where the certificate of the Attorney-General is necessary, and is obtained, within fifteen days after such judgment, decision or order has been made. ^{Notice.}

(3) The clerk of the county or district court shall certify the judgment, conviction, orders and all other proceedings, to the proper officer of the Supreme Court, at Toronto, for use upon the appeal. ^{Transmitting papers.}

Hearing
appeal.

(4) The Divisional Court shall thereupon hear and determine the appeal, and shall make such order for carrying into effect the judgment of the court as the court shall think fit.

Appeal in
certain
cases to
Divisional
Court.

95.—(1) An appeal to the Appellate Division of the Supreme Court shall lie from any judgment or decision of a Judge of the Supreme Court, upon any application to quash a conviction made under this Act, or to discharge a prisoner who is held in custody under any such conviction, whether such conviction is quashed or the prisoner discharged, or the application is refused; but no such appeal shall lie, unless the Attorney-General of Ontario certifies that he is of opinion that the point in dispute is of sufficient importance to justify the case being appealed.

Certifying
proceedings
to Appellate
Division.

(2) Upon such certificate being produced to one of the Registrars of the High Court Division, he shall certify under the seal of the Supreme Court the proceedings returned to or had before or in the said Court, to the Registrar of the Appellate Division, and a Divisional Court shall thereupon hear and determine the appeal, without any formal pleadings, and shall make such order for carrying into effect the judgment of the said Court as the circumstances of the case may require.

CASES OF SEVERAL CONVICTIONS.

Procedure
where
previous
convictions
charged.

96. The proceedings upon any information for an offence against any of the provisions of this Act in a case where a previous conviction or convictions are charged, shall be as follows:—

(a) The magistrate, justice or justices of the peace shall in the first instance inquire concerning such subsequent offence only, and if the accused be found guilty thereof he shall then be asked whether he was so previously convicted as alleged in the information and, if he answers that he was so previously convicted, he shall be sentenced accordingly; but, if he denies that he was so previously convicted or does not answer such question, the judge, magistrate or justice shall then inquire concerning such previous conviction or convictions.

(b)

(b) Such previous convictions may be proved *prima facie* by the production of a certificate purporting to be under the hand of the convicting magistrate, justice or justices of the peace, or clerk of the peace to whose office the conviction has been returned, without proof of signature or official character.

(c) In the event of any conviction for any second or subsequent offence becoming void or defective after the making thereof by reason of any previous conviction being set aside, quashed or otherwise rendered void, the magistrate, justice or justices of the peace by whom such second or subsequent conviction was made shall summon the person convicted to appear at a time and place to be named therein and shall thereupon, upon proof of the due service of such summons if such person fails to appear, or on his appearance, amend such second or subsequent conviction and adjudge such penalty or punishment as might have been adjudged had such previous conviction never existed; and such amended conviction shall thereupon be held valid to all intents and purposes as if it had been made in the first instance.

(d) In case any person, who has been convicted of a contravention of any provision of any of the sections of this Act mentioned in section 58 hereof, is afterwards convicted of an offence against any provision of any of the said sections, such conviction shall be deemed a conviction for a second offence within the meaning of the said section and shall be dealt with and punished accordingly, although the two convictions may have been under different sections.

97.—(1) Whenever a prosecution is brought against any person under this Act for an offence of which he has been previously convicted and for which a different or greater penalty is imposed in the case of a second or any subsequent offence, the inspector shall prosecute as for a second or subsequent offence according to the fact. Duty of inspector as to second offences.

(2) Any inspector who knowingly or wilfully contravenes the provisions of this section shall incur a penalty of not less than \$20 nor more than \$50. Penalty.

98. One conviction for several offences, in which a separate penalty is provided for each, may be made under this Act where the offences may have been committed on the same day. One conviction for several offences.

day; but the increased penalty or punishment hereinbefore imposed shall only be incurred or awarded in the case of offences committed on different days and after conviction had for a first offence.

Effect of
second con-
viction.

99. When not otherwise provided, a second conviction of a licensed person under this Act, for any violation or contravention of any of the provisions of this Act, shall *ipso facto* operate as a forfeiture of his license and disqualify the person convicted from obtaining a license for three years thereafter.

COSTS.

Power
to make
order as to
costs.

100. In every case where a penalty is authorized by this Act to be inflicted, the magistrate, justice or justices of the peace shall have the power to order costs to be paid in addition to the amount of the penalty, and such costs when so ordered shall be considered part of the penalty.

CONVICTIONS AND SUBSEQUENT PROCEEDINGS.

Variances
between
information
and convic-
tion, etc.

101. No conviction or warrant for enforcing the same or any other process or proceeding under this Act shall be held insufficient or invalid by reason of any variance between the information and the conviction or by reason of the punishment imposed or the conviction or order made being in excess of that which might lawfully have been imposed or made or by reason of any other defect in form or substance, provided it can be understood from such conviction, warrant, process or proceeding that the same was made for an offence against some provision of this Act within the jurisdiction of the magistrate, justice or justices of the peace or other officer who made or signed the same, and provided there be evidence to prove some offence under this Act, and where necessary, every such conviction, warrant or other process or proceeding may be amended in such manner as justice may require.

Informali-
ties not to
invalidate
conviction.

102. Upon any application to quash or set aside any such conviction or order, or the warrant for enforcing the same, or other process or proceeding, whether in appeal or upon *habeas corpus*, or by way of *certiorari* or otherwise, the court or judge to which or to whom such appeal is made, or to which or to whom such application has been made upon *habeas corpus* or by way of *certiorari* or otherwise, shall dispose of such appeal or application upon the merits, notwithstanding any such variance, excess of jurisdiction or defect as aforesaid; and in all cases where it appears that the merits

have

have been tried, and that the conviction, warrant, process or proceeding is sufficient and valid under this section or otherwise, and there is evidence to support the same, such conviction, warrant, process or proceeding shall be affirmed, or shall not be quashed (as the case may be); and such court or judge may in any case amend the same if necessary; and any conviction, warrant, process, or proceeding so affirmed, or affirmed and amended, shall be enforced in the same manner as convictions affirmed on appeal, and the costs thereof shall be recoverable as if originally awarded.

103. Whenever a licensee is convicted of any offence against the provisions of this Act a record thereof shall be indorsed on the license of the person convicted, and the following provisions shall immediately have effect, that is to say:—

Record of
conviction
on license.

- (a) the magistrate, justice or justices before whom any licensed person is accused shall require such person to produce and deliver to him the license under which such person carries on business, and the summons shall state that such production will be required.

104. Where the conviction of any licensee has the effect of causing the forfeiture of the license or of disqualifying any person for the purposes of this Act, the license shall be produced to the magistrate hearing the case for the purpose of cancellation.

Production
of license
for can-
cellation.

105. The magistrate, justice or justices of the peace, on any conviction of any person for an offence against this Act, shall send forthwith to the Board a certificate of such conviction, for which certificate he shall be allowed a fee of fifty cents to be taxed as costs in the cause.

Certificate
of convic-
tion.

106. Every corporation incorporated by or under an Act of this Legislature, and every corporation incorporated otherwise than by or under an Act of this Legislature, which transacts any business within the Province, shall be deemed to be and shall be in all respects subject to the provisions of this Act, and every such corporation shall, as to any Act, matter or thing done in Ontario, in, about, concerning and touching or relating to liquor, be deemed to be and shall be within the jurisdiction of the courts of this Province and of every judge, magistrate, justice or justices of the peace within the Province.

Application
of Act to
corpora-
tions.

Service on
corporations.

107. In all prosecutions, actions or proceedings under the provisions of this Act against a corporation, every summons, warrant, order, writ or other proceeding may, in addition to any other manner of service which may be provided or authorized by law, be served on such corporation by delivering the same to any officer, attorney or agent of the said corporation, or by leaving it at any place where it carries on any business; provided that service in any other way shall be deemed sufficient if the court, judge, magistrate, justice or justices of the peace by or before whom such summons, warrant, order, writ or other proceeding was issued or is returnable, or by or before whom any proceeding subsequent to such service is to be had or taken, shall be of the opinion that the service has been such as to bring the summons, warrant, order, writ or other proceeding to the notice of such corporation.

Recovery of
penalties
from cor-
poration by
distress.

108.—(1) Whenever any corporation is convicted of any offence against or under this Act and the conviction adjudges a pecuniary penalty or compensation to be paid by such corporation, or an order under this Act requires the payment of a sum of money by a corporation, the court, judge, magistrate, justice or justices of the peace, by his or their conviction or order, after adjudging payment of such penalty, compensation or sum of money with costs may order and adjudge that, in default of payment of such penalty, compensation or sum of money forthwith or within a limited time, such penalty, compensation or sum of money shall be levied by distress and sale of the goods and chattels of such corporation.

Enforcing
judgment
against cor-
poration.

(2) In any such case, and in addition to the other remedies provided hereby, a copy of such conviction or order certified to by any judge, magistrate, justice or justices of the peace, or by the officer in whose custody the same is by law required to be kept, may be filed in the proper county or district court, and such conviction or order shall thereupon become a judgment of said court and all proceedings may be thereupon taken and had as on any other judgment of said court.

Cancellation
of license
of corpora-
tion.

(3) In the case of the conviction of or an order against a corporation, which by the law of Ontario is required to obtain a license to carry on its business in Ontario and has obtained such license, if the penalty, compensation or sum of money be not paid according to the terms of the conviction or order, the Lieutenant-Governor in Council may, in case of such default in payment of penalty, compensation or sum of money as aforesaid, cancel and revoke the license so issued to such corporation.

(4)

(4) Provided always that nothing in this section con- Proviso.
tained shall be construed as in any way affecting, limiting or
restricting any proceedings which otherwise can or may be
taken or had for the infliction of punishment by penalty or
imprisonment or the modes of enforcement or recovery of
fines or penalties.

109. Notwithstanding anything in this Act where a Power to
issue dis-
tress on
non-pay-
ment of
penalty.
pecuniary penalty is imposed, the magistrate may in his dis-
cretion order that in default of payment of the penalty dis-
tress shall issue for the recovery thereof or he may if he sees
fit order that in default of immediate payment of the penalty
the offender shall be committed to gaol for such period as
may be allowed by law.

110.—(1) The penalties in money imposed under this Payment
over and
application
of penalties.
Act or any portion of them that may be recovered except
as provided in the next subsection shall be paid to
the convicting Magistrate in the case, and shall by him or
them be paid to the Inspector of the county or district in
which the offence was committed, to be by him remitted to
the License Branch in accordance with the regulations of the
Department and shall form part of the consolidated revenue
of the Province.

(2) Where an officer appointed under section 120 is the
prosecutor or complainant, then the same shall be paid to the
treasurer of the municipality wherein the offence was com-
mitted.

111.—(1) Where an Inspector or any officer appointed When costs
cannot be
recovered.
by the Crown has prosecuted and obtained a conviction and
has been unable to recover the amount of costs, the same
shall be made good out of the appropriation of the Legislature
for the enforcement of the "Ontario Temperance Act."

(2) Where an Inspector or officer appointed by the Crown Indemnifica-
tion of
officers
against
costs.
has prosecuted and failed to obtain a conviction he shall be
indemnified against all costs out of the appropriation of the
Legislature for the enforcement of the "Ontario Temperance
Act."

(3) The forms in Schedule "F" or any forms to the like Forms
for use on
prosecutions.
effect shall be sufficient in the cases thereby respectively pro-
vided for, and where no forms are prescribed, new ones may
be framed to meet the circumstances of the case, conforming
as nearly as may be to those employed in proceedings under
The Ontario Summary Convictions Act, such forms being Rev. Stat.
c. 90.
made short and concise in the mode indicated by the forms in
Schedule "F."

WITNESSES.

112. In any prosecution under this Act the magistrate Witnesses
summoned
and not
appearing
may be
brought up
by warrant.
trying the case may summon any person represented to him
as a material witness in relation thereto; and if such person
refuses

refuses or neglects to attend pursuant to such summons, the magistrate may issue his warrant for the arrest of such person; and he shall thereupon be brought before the magistrate, and if he refuses to be sworn or to affirm, or to answer any question touching the case, he may be committed to the common gaol of the county, there to remain until he consents to be sworn or to affirm and to answer.

Production of books, etc., may be ordered.

113.—(1) Any person summoned as a party to, or as a witness in any proceeding under this Act, may, by the summons, be required to produce, at the time and place appointed for his attendance, all books and papers, accounts, deeds and other documents in his possession, custody or control, relating to any matter connected with the said proceeding, saving all just exceptions to such production; and shall incur the same penalties for non-production of such books, papers or documents, as he would incur by refusal or neglect to attend, pursuant to such summons, or to be sworn or to answer any question touching the case.

Penalty in case any person compromises, compounds, or settles a case.

(2) Any person who, having contravened any of the provisions of this Act, compromises, compounds or settles, or offers or attempts to compromise, compound, or settle the offence with any person or persons, with the view of preventing any complaint being made in respect thereof, or if a complaint has been made with the view of getting rid of such complaint, or of stopping or having the same dismissed for want of prosecution or otherwise, shall be guilty of an offence under this Act, and on conviction thereof shall be imprisoned at hard labour in the common gaol of the county in which the offence was committed for the period of three months.

Penalties for being concerned in any such compromise, etc.

(3) Every person who is concerned in, or is a party to, the compromise, composition or settlement mentioned in subsection 1 shall be guilty of an offence, and on conviction thereof shall be imprisoned in the common gaol of the county in which the offence was committed for the period of three months.

Penalty for tampering with a witness.

(4) Any person who, on any prosecution under this Act, tampers with a witness, either before or after he is summoned or appears as such witness on any trial or proceeding under this Act, or by the offer of money, or by threats, or in any other way, either directly or indirectly, induces or attempts to induce any such person to absent himself, or to swear falsely, shall incur a penalty of \$50 for each offence.

No remission by magistrates, etc.

REMISSION OF PENALTIES.

114. No magistrate, justice of the peace or municipal council shall have any power or authority to remit, suspend or compromise any penalty or punishment inflicted under this Act.

115. Every inspector shall keepRegister of
licenses.

- (a) a register to be called "The register of licenses," containing the particulars of all licenses granted in his district, the premises in respect to which they are granted, the names of the licensees and the names of the sureties to any bond given by any such licensee in pursuance of the provisions of this Act; and he shall also enter on the register all forfeitures of licenses, disqualifications of licenses, records of convictions and other matters relating to the licenses then on the register; and

- (b) a record of all applications made under this Act showing the names of the applicants, the nature of the applications, the premises in respect of which the applications are made, the dates on which the applications were heard and the manner in which the same were disposed of, including in case of refusal the cause or causes thereof.

Record of
applications.

116. The local inspectors shall, immediately on the termination of every case and also on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September and the thirty-first day of December in each year, report to the Board all prosecutions and convictions under this Act in their respective districts, whether instituted or obtained by them or by others to their knowledge, giving dates, names of parties, amounts of fines and names of magistrates before whom respectively the cases were tried.

Annual report of
prosecutions
and convictions.**LAW ENFORCEMENT.**

117.—(1) Any money appropriated by the Legislature for the purpose of preventing the contravention of the provisions of this Act or of any regulation made thereunder, shall be known as the "Ontario Temperance Act Law Enforcement Fund," and payments from the said fund from time to time shall be made under the direction of the Minister to such officers and persons as he may think proper, to be expended in the enforcement of this Act, including the salaries and expenses of the members and officers of the Board and of such regulations or the detection of offences against this Act or any regulation.

Fund to be
used by
Minister in
enforcing
law.

(2) The certificate or order of the Minister that any sum of money is required to be paid out of the said fund shall be sufficient authority for the issue of a cheque by the Treasurer of Ontario for the amount named in such certificate or order

Authority
for pay-
ments out.

order, and the officer or other person to whom such cheque is issued shall account to the Minister for the proper disbursement of the amount received by such officer or other person, whose approval of same shall be final.

PROVINCIAL BOARD OF LICENSE COMMISSIONERS.

Provincial
Board of
License
Commis-
sioners.

118.—(1) There shall be a Board of License Commissioners for Ontario, which shall be composed of five persons to be appointed by the Lieutenant-Governor in Council and one of whom shall be appointed as Chairman of the Board.

Tenure of
office.

(2) The members of the Board shall hold office during pleasure.

Quorum.

(3) Two of the members of the Board shall constitute a quorum and the act or decision of any two members present and acting together shall be binding and sufficient.

Oath of
office.

(4) Each of the members of the Board before entering upon the duties of his office shall take and subscribe before the Minister or before some person appointed by him for that purpose the following oath,—

I, A. B., having been appointed a member of the Board of License Commissioners for Ontario, do swear,

That I will well and faithfully discharge the duties of that office as prescribed by law, without fear or favour, prejudice or partiality, so help me God.

(Signed),

A. B.

Jurisdic-
tion,
powers
and duties.

Powers of
Board as
to recon-
sideration.

(5) The Board shall have jurisdiction throughout the Province and subject to the provisions of this Act the Board may reconsider any matter which has been dealt with by it, and may rescind, alter or amend any decision, order or resolution previously made or passed by said Board.

INSPECTORS AND OFFICERS OF BOARD.

Appoint-
ments.

119.—(1) The Lieutenant-Governor in Council may appoint—

Inspectors.

(a) Such provincial, district, county and city inspectors and provincial officers as may be deemed necessary, but not more than one Inspector shall be appointed for any county exclusive of any city therein;

Office
staff.

(b) Such other officers, clerks and servants of the Board as may be deemed necessary.

(2) Every such inspector shall for the purposes of this Act be *ex officio* a constable for every county and district in Ontario, but he shall not receive to his own use, any costs beyond his actual disbursements in respect of any service performed by him as such constable.

Inspectors
to be *ex
officio*
constables.

(3) Every person appointed under this section shall furnish such security as the Treasurer of Ontario may require for the payment over of all sums of money received by him according to the provisions of this Act.

Security by
officers.

Rev. Stat.
c. 215.

120. The council of any municipality may by by-law appoint an officer whose duty it shall be to enforce the provisions of this Act within the municipality, and such council may by by-law provide for the payment of such officer or officers and for payment of any expenses incurred in such enforcement out of the general funds of the municipality, and every officer so appointed shall have within the municipality for which he is appointed all the powers possessed by a Provincial officer appointed under section 119 and all the provisions of this Act applicable to any such Provincial officer shall apply as to any officer appointed under this section and acting within the municipality for which he is appointed in the same manner and to the same extent as if such municipal officer were expressly mentioned in such provisions.

Appoint-
ment of
officers by
councils to
enforce
provisions
of this Act.

PURCHASE OF ALCOHOL BY MANUFACTURERS.

121.—(1) Nothing in this Act shall prevent the purchase by manufacturers of vinegar, perfumes, pharmaceutical preparations, patent or proprietary medicines, essences and other products of recognized value, of alcohol or of native or foreign wines required and used in the manufacture of such products from such persons as are entitled to sell the same; provided, however, that any such manufacturer shall before purchasing alcohol or wines as aforesaid for any such purpose, obtain from the Board of License Commissioners a permit which such Board may issue authorizing such manufacturer to purchase such alcohol or wines during a specified period for the purpose and not exceeding the quantities mentioned in such permit, but no such alcohol or wine nor any part thereof so purchased shall be used for beverage purposes.

Purchase of
alcohol for
certain pur-
poses may
be author-
ized.

(2) Before any such permit is issued satisfactory evidence shall be furnished to the Board as to the character of the articles or commodities proposed to be manufactured in which alcohol or wines is or are required and such other

Evidence
upon which
permit may
be issued.

evidence

evidence as in the public interest the Board may deem desirable, and such permit may on notice to the holder thereof and after due investigation be cancelled for cause in the discretion of the Board.

Sale to person having permit authorized.

(3) Any distiller or vendor in Ontario may, notwithstanding anything in this Act contained, sell and supply to any such manufacturer such alcohol or wines as he may require in the conduct of his business as aforesaid not being inconsistent with the terms of the permit issued to him as provided by subsection 1 of this section, a copy of which shall be filed with such distiller or vendor as the case may be.

Monthly statement by purchaser.

(4) Every such manufacturer shall not later than the tenth day of every month furnish to the Board a sworn statement shewing the quantity of alcohol or wines purchased by such manufacturer during the calendar month immediately preceding and the persons, firms and companies from whom the same was purchased and the dates on which such purchases were made.

Offences.

(5) Any person violating any provision of this section shall be guilty of an offence against this Act and shall be liable to the penalties provided by section 59 hereof.

Presumption of guilt from possession of unauthorized quantity.

122. Notwithstanding anything in this Act, any manufacturer on whose premises any alcohol or other liquor is found exceeding in quantity one gallon, unless it is shewn that the same has been purchased in pursuance of a permit issued under subsection 1 of the next preceding section, shall be conclusively deemed to be kept for sale in contravention of section 40 of this Act and the same may be forthwith seized and removed together with the vessel or package in which the same is contained.

SALE OF LIQUOR BY DRUGGISTS, AND SALE OF PATENT AND OTHER MEDICINES, AND OF ALCOHOL FOR THE PURPOSES OF THE ARTS AND MANUFACTURES.

Interpretation.

123. In this and the following eleven sections of this Act,

"Alcohol."

(a) "Alcohol" shall mean "ethylic" or absolute alcohol;

"Manufacturer."

(b) "Manufacturer" shall mean a manufacturer for sale by wholesale;

"Original and unbroken package."

(c) "Original and Unbroken Package" shall mean the package in which the patent or proprietary medicine is put up by the manufacturer;

(d)

"Wholesale
druggist."

(d) "Wholesale Druggist" shall mean a person, firm or company engaged in supplying druggists with drugs, patent or proprietary medicines, compounds, preparations or other articles and commodities usually kept and dealt in by druggists;

(e) "Druggist" shall have the meaning assigned to it in section 2 (n) of this Act.

Patent or
proprietary
medicines.

124. Nothing in this Act shall prevent the sale by a druggist or a merchant, or company dealing in drugs and medicines, or a merchant or company dealing in patent or proprietary medicines, of any such medicine in the original and unbroken package, if such medicine contains sufficient medication to prevent the same being used as a beverage.

Certain
tinctures,
medicines,
perfumes,
etc.

125. Nothing in this Act shall prevent the sale

(a) by a druggist or by the manufacturer, of

(i) any tincture, fluid extract, essence or medicated spirit containing alcohol prepared according to a formula of the British Pharmacopœia or other recognized standard work on pharmacy, or

(ii) medicine or other similar officinal or pharmaceutical compound or preparation, or

(iii) a perfume, or

(iv) for purely medicinal purposes, any mixture so prepared containing alcohol and other drugs or medicine; nor

(b) by a merchant who deals in drugs and medicines, of such compounds, mixtures and preparations as are in this section hereinbefore mentioned and are so made or put up by a druggist or manufacturer,

by reason only that the same contain alcohol, but this shall only apply to any such compound, mixture and preparation as contains sufficient medication to prevent its use as an alcoholic beverage.

Colourable
sales.

126.—(1) Where the magistrate before whom a complaint is heard finds that any patent or proprietary medicine mentioned or referred to in section 124 or any other medicine, preparation or mixture mentioned or referred to in

in section 125, has been put up, manufactured or sold as a colourable device for the evasion of the provisions of this Act, the offender shall incur the penalties imposed by this Act as in the case of sale of liquor without the license required by law.

Charging
the offence.

(2) It shall not be necessary in the information, summons, warrant, conviction, distress warrant, commitment or other process or proceeding, except the finding or judgment, to set out that such patent or other medicine, preparation or mixture was put up, manufactured or sold as a colourable device for the evasion of this Act, but it shall be sufficient if the complaint and all other necessary statements of the offence allege or refer to the sale of liquor in contravention of this Act.

Analysis
of patent
medicines
kept by
druggists.

127.—(1) A druggist or other person who keeps patent or proprietary medicines for sale shall, upon request made by the Inspector or other person authorized by the Board, permit such Inspector or other person to take away a sample sufficient for the purpose of analysis of any patent or proprietary medicine kept by him for sale.

Penalty.

(2) Any person who refuses to comply with such a request shall incur a penalty of not less than \$10 nor more than \$40.

Sale of
liquor by
druggists.

128.—(1) Nothing in this Act shall prevent a druggist from keeping liquor for sale for strictly medicinal purposes, or from selling liquor for strictly medicinal purposes in packages of not more than six ounces at any one time, or from selling for strictly medicinal purposes any mixture containing liquors mixed with any other drug or medicine in packages of not more than one pint at any one time, or from selling alcohol not exceeding one pint for bathing a patient or for other necessary purposes, but in every such case only under a *bona fide* prescription of such alcohol, liquor or mixture duly signed by a legally qualified medical practitioner, nor from selling to such practitioner upon his written order one quart of liquor for use in the practice of his profession, nor shall anything in this Act prevent a druggist selling to a dentist personally who is a duly registered member of the Royal College of Dental Surgeons of Ontario, of liquor for use in his profession only, but not in a greater quantity than six ounces at one time, and to a veterinary surgeon qualified as provided by *The Veterinary Surgeons Act*, and who is lawfully and regularly engaged in the practice of his profession, for use in his profession only, but not in a greater quantity than one quart at any one time; provided that in either case such sale shall be recorded as provided by this Act, and shall only be sold by such druggist upon the written order of the dentist or veterinary surgeon as the case may be.

Sales to
dentist and
veterinary
authorized.

Rev. Stat.
c. 171.

(2) Every druggist shall record in a book to be kept for that purpose every sale or other disposal by him of alcohol or other liquor when sold by itself or forming the principal ingredient in such prescription; and such record shall show as to every such sale or disposal, the time when, and the person to whom the same was made, the quantity sold and the prescription, when one is required, of such medical practitioner; and in default of such sale or disposal being so placed on record, every such sale shall be held to be in contravention of the provisions of section 40 of this Act.

Record of sales.

(3) Such book shall be kept open to the inspection of the License Commissioners, Inspector, Provincial Inspector, or any other person appointed by the Board, and producing his written authority in that behalf, and may be in the following form:

Book open to inspection by commissioners, Inspectors and other officials.

Date	Name	Residence	Kind and quantity	Purpose or use	Price	Name of Medical practitioner.

(4) In a township a druggist who is also a legally qualified medical practitioner may himself give the prescription provided for this section, and may also give such prescription in any village or police village where there is no other legally qualified medical practitioner resident and practising therein, but not otherwise.

When druggist may himself give medical prescription.

(5) Any druggist who sells or otherwise disposes of any liquor to be consumed within his shop, or within the building of which such shop forms part or which communicates by any entrance therewith, either by the purchaser or by any other person not usually resident therein, as a beverage, or with soda water, seltzer, apollinaris, ginger ale, ginger beer, sarsaparilla, or any aerated, mineral or effervescent drink, shall incur the penalties imposed by section 59 of this Act.

Selling liquor with other beverages.

(6) Nothing in this Act shall prevent a druggist from selling wine for sacramental purposes to a minister of the gospel upon his written request, which may be in the form of Schedule "E."

129. Nothing in this Act shall apply to or prevent the sale by a druggist of any drug or medicine for strictly medicinal purposes, notwithstanding the mixture with such drug

Drugs mixed with alcohol.

or

or medicine of alcohol as one of the necessary and *bona fide* ingredients thereof, if the quantity of alcohol so sold at any one time does not exceed six ounces.

Sale of
liquor by
druggists in
case of acci-
dents, etc.

130.—(1) Nothing in this Act shall prevent a druggist from selling, without the certificate of a legally qualified medical practitioner, liquor in quantities of not more than six ounces at any one time when the same is required owing to a serious injury or to the fainting of a person who may be brought or shall come into the premises of the druggist or into contiguous premises, or in or upon premises adjacent to them, and the same is urgently required for the relief of such person.

(2) Exclusive of ethylic alcohol and sacramental wine, no druggist shall have in his possession at any one time more than ten gallons of liquor.

How drug-
gist may
exculpate
himself.

131. If a druggist is charged with a contravention of any of the provisions of section 125 of this Act, but proves that he sold the compound, mixture or preparation in question in the same state as when he purchased it and that he could not with reasonable diligence have obtained knowledge of the fact that the provisions of that section had not been complied with he shall not be found guilty; but the magistrate hearing the case may order that such compound, mixture or preparation found in the possession of such person be forfeited to the Crown; and the Minister may make such disposition of it as he may think fit.

Forfeiture
of the
article.

Penalty for
sale by
druggist
without
license.

132. Any druggist who keeps for sale or who sells or barter any liquor in contravention of this or any other Act shall for the first offence on conviction thereof incur the penalties imposed by section 59 for selling, and for a second or any subsequent offence shall on conviction thereof incur the penalty imposed by said section as for a second offence for selling; and in addition thereto his certificate authorizing him to carry on the business of a "chemist and druggist" in Ontario shall *ipso facto* be void and be of no force or effect whatever for a period of two years from the date of his conviction, a copy of which shall forthwith be sent to the Registrar of the Ontario College of Pharmacy, or until the Council of such College shall see fit in its discretion after the expiration of such period of two years to reinstate such druggist, who shall not in the meantime be eligible as a member, director or shareholder of any incorporated company dealing in drugs or medicine in Ontario.

133.—(1) Every druggist shall within seven days after demand by the Board supply the Board with a written statement verified by affidavit of the amount and kind of liquor purchased by him during the period specified in such demand, the dates when and the persons from whom such liquor was purchased. Sworn statement as to amount of liquor purchased.

(2) Any person who makes default in supplying such statement shall incur a penalty of \$20 for each day during which such default continues. Penalty.

134. A wholesale druggist may, notwithstanding anything in this Act, sell to a druggist "ethylic" or absolute alcohol for use in his business as such druggist; but this provision shall only apply to wholesale druggists who have filed with the License Branch at Toronto a certificate, which shall be annually renewed not later than the 1st day of May in each year, signed by the Registrar of the Ontario College of Pharmacy, that the holder of such certificate is a wholesale druggist within the meaning of this Act. Sales by wholesale druggists.

MUNICIPALITIES UNDER THE CANADA TEMPERANCE ACT.

135. The council of any county or city in which the second part of *The Canada Temperance Act* is in force, may, from time to time, set apart any sum or sums of money for the purpose of paying any officer or officers, person or persons, for enforcing, or assisting to enforce *The Canada Temperance Act* within their respective jurisdictions, and for the payment of any costs or expenses incurred in and about enforcing, or attempting to enforce the same; and such councils are hereby authorized and empowered to appoint one or more officers or persons to enforce, or assist in enforcing, the provisions of that Act, and to pass by-laws for the government and control of such officers or persons, and defining their duties and mode and amount of payment. Municipal councils may aid in enforcing the Canada Temperance Act. R.S.C. c. 152.

136.—(1) Where the second part of *The Canada Temperance Act* is in force the expenses of carrying the same into effect, except as is hereinafter provided, shall be borne and paid by the county or city within which the same is in force. Expenses of enforcing this Act in municipalities under the Temperance Acts. R.S.C. c. 152.

(2) The expenses payable under this section by a county or city shall be paid by it into such bank as the Minister may direct to the credit of *The Canada Temperance Act Fund*, and shall become due and payable within one month after an estimate of the amount of the expenses for the current license year has been made by the Board, and approved by the How and when payable.

Minister (which approval shall be final and conclusive) and after a copy or duplicate of such estimate and approval, together with a notice in writing by the Board, requesting payment of the amount payable by the municipality has been served upon the clerk of the county or city, on such days and times as by the said request or notice are named for that purpose; and in case any estimate proves insufficient for the payment of the expenses of the license year any deficiency may be provided for in the estimate for the succeeding year; and in case any sums remain unexpended in any year, the same may be applied on account of the expenses of the succeeding year.

Payment of proportion, how enforced.

(3) Payment may be enforced against any county or city by the Board by action or proceedings in the name and by the title of "The Board of License Commissioners for Ontario," and it shall not be necessary to mention or include the names of the License Commissioners in the proceedings; and the action or proceedings may be carried on in the name of such Board as fully and effectually as though such Board were incorporated under such name or title; and in the event of the death or resignation of any of the License Commissioners, or of the appointment of other License Commissioners, the action or proceedings shall not cease, abate or determine, but shall proceed as though no change had been made in the Board or License Commissioners, and, in the event of the Board being condemned in costs, the same may be payable out of the *Canada Temperance Act Fund* for the county or city, as the case may be.

Provision for enforcement of Canada Temperance Act where fines insufficient.

137.—(1) In case the fines and penalties imposed and collected under and by virtue of *The Canada Temperance Act* are insufficient to meet the expenses incurred in the enforcement of that Act the Treasurer of Ontario may pay into the License Fund out of the Consolidated Revenue Fund a sum not exceeding one-half the amount which the municipality is required to pay for or on account of such expenses over and above the fines and penalties so collected.

Account of fines and amount contributed by county or city.

(2) The treasurer of the county or city to which the fines are payable shall keep a separate account of the fines received and also of the amount paid or contributed by the municipality towards the expenses of enforcing the Act, and the Province shall not be called upon to pay any proportion of the expenses so long as there is a balance at the credit of the said account.

Audit.

(3) The separate account mentioned in the next preceding subsection shall be subject to audit by an officer of the License Branch; such audit may take place at the office of the

the treasurer of such county or city and the certificate of such officer when approved by the Minister shall be sufficient evidence of the correctness of such separate account.

(4) The word "county" when used in this section and in section 136 shall not include a provisional judicial district. County not to include district.

138. Whenever an appropriation is made by the Legislature for enforcing *The Canada Temperance Act*, the Minister may by his order direct the payment out of such appropriation of any sum or sums which he may find necessary from time to time for the enforcement of the said Act in a provisional judicial district during the time that Act is in force in such district. Payment of appropriation for enforcement of C. T. Act.

139. While this Act is intended to prohibit and shall prohibit transactions in liquor which take place wholly within the Province of Ontario, except under license or as otherwise specially provided by this Act, and to restrict the consumption of liquor within the limits of the Province of Ontario, it shall not affect and is not intended to affect *bona fide* transactions in liquor between a person in the Province of Ontario and a person in another Province or in a foreign country, and the provisions of this Act shall be construed accordingly. Transactions between persons in Ontario and persons out of Ontario.

140. Nothing contained in this Act shall be construed to interfere with the operation of *The Canada Temperance Act* or any other Act of the Parliament of Canada applicable to the Province of Ontario or any part thereof. Canada Temperance Act not affected.

141. Notwithstanding anything contained in *The Liquor License Act* the Board may by resolution provide for extending the duration of any existing tavern, shop or club license from the first day of May, 1916, until the date on which this Act shall come into force upon the payment of Five Dollars, but this shall not apply to any license granted and now in force in respect of premises situate in any municipality in which a local option by-law has been adopted and which will in pursuance of the Statute in that behalf come into force on the first day of May, 1916. Renewal of existing licenses until commencement of Act.

142. Section 39 of *The Liquor License Act* is repealed, such repeal to take effect on the first day of May, 1916, but this shall not affect the payment over or collection of any moneys due to the Province under the said section up to and inclusive of the 30th day of April, being the end of the current license year. Repeal of Rev. Stat., c. 215, s. 39.

Extending
brewers' and
distillers'
licenses.

143. Brewers' and distillers' provincial licenses, brewers' warehouse licenses and wholesale licenses issued under *The Liquor License Act* and in force on the 30th day of April, 1916, being the end of the current license year, may be extended from the date last mentioned until the date on which the repeal of *The Liquor License Act* aforesaid is to take effect, in pursuance of section 150 of this Act, but such extension shall be subject to the payment of Five Dollars.

Fee for ven-
dor's license.

144. The fee to be paid annually for a vendor's license issued under this Act shall be \$5.00.

Lease of
licensee ter-
minable on
three
months'
notice.

145. Every lease of premises for or in respect of which a tavern or shop license under *The Liquor License Act* is in force at the passing of this Act, shall with the written approval of the Board be terminable by the lessor or lessee giving three months' notice of his intention to cancel such lease.

Licensing
hotels.

146.—(1) From and after the date on which *The Ontario Temperance Act* comes into force the Board of License Commissioners for Ontario may license one or more hotels in every municipality for the accommodation of the travelling public and other guests.

Regula-
tions.

(2) The Board may by resolution define the conditions, accommodation and qualifications requisite for obtaining such license and regulate the hotels so licensed.

"Standard
hotels."

(3) The hotels so licensed shall be known as Standard Hotels.

License fee.

(4) The annual fee to be paid for such license shall be \$1.00.

Privileges
of licensee.

(5) The keeper of a Standard Hotel shall be entitled to sell all non-intoxicating drinks and beverages, cigars, cigarettes and tobacco, and to conduct an ice cream or general restaurant or cafe without further or other license.

Penalty for
sales of
certain
articles in
unlicensed
premises.

(6) The keeper of any hotel, inn or house of public entertainment not so licensed as aforesaid shall not sell or traffic in any of the articles mentioned in the preceding section, and any such keeper who violates this section shall be guilty of an offence under this Act and shall on conviction be liable to a penalty not exceeding \$10.00 and costs.

(7) The Board may cancel any such license at any time Cancelling license.
for such reason as to the Board may seem sufficient.

(8) The council of any municipality may by by-law grant Power to grant tax exemptions.
any such Standard Hotel total or partial exemption from
municipal taxation except school and local improvement
taxes.

147.—(1) On the first Monday in the month of June, Plebiscite on repeal of Act.
1919, there shall be submitted to the vote of the electors of the
Province of Ontario qualified to vote at the election of mem-
bers to the Legislative Assembly the question:

“Are you in favour of the repeal of *The Ontario Tem-
perance Act.*”

(2) The date of the voting upon the said question shall be Voting on question.
fixed by the Lieutenant-Governor in Council by proclama-
tion and the proceedings for taking the said vote including
the preparation of voters and polling lists, the registration of
manhood suffrage voters, the appointment of returning of-
ficers, poll clerks and constables, and of agents to represent
those interested in maintaining the affirmative and the nega-
tive of the said question, and the duties and responsibilities
of officers shall be the same as nearly as may be as the elec-
tions to the Legislative Assembly; and all the provisions re-
lating to offences and penalties, corrupt practices and the
punishment thereof, and the conduct of prosecutions pro-
vided by *The Ontario Election Act* shall *mutatis mutandis*
and as far as the same are applicable apply to the taking of
the said vote. Rev. Stat., c. 8.

(3) The returning officer appointed for each electoral dis-
trict shall make his return to the Clerk of the Crown in
Chancery and upon the receipt of the last of such returns
the Clerk of the Crown in Chancery shall make his return to
the Lieutenant-Governor in Council and shall give notice
thereof in THE ONTARIO GAZETTE, showing the total num-
ber of votes polled in the Province for the affirmative and
negative of the said question. Returns as to result.

(4) If the said return shall show that a majority of the When re-
peal to take effect.
electors voting thereon voted in favour of the affirmative, this
Act shall be repealed and such repeal shall take effect at the
expiration of a period of _____ months there-
after or at such earlier date as may be fixed by the Lieuten-
ant-Governor in Council by proclamation.

Revival of
Rev. Stat.,
c. 215, on
repeal of
Act.

(5) Upon the expiration of the said period or upon the issue of the proclamation, *The Liquor License Act* as amended prior to the passing of this Act shall be revived and shall be in force in Ontario, and all by-laws and regulations made thereunder, including any by-laws and regulations passed under section 137 of the said Act or any provision for which the said section was substituted shall be in force and shall have effect until altered or repealed by lawful authority as if this Act had not been passed.

Business
assessment
not to be
collected
for 1916.

148. Notwithstanding the provisions of *The Assessment Act* no distiller, brewer, maltster or holder of a tavern, shop or wholesale license or a club in which spirituous or fermented liquors are furnished shall be liable for nor shall any municipal corporation levy or collect from any such person or club any taxes for the year 1916 in respect of business assessment.

Commence-
ment of
Act.

149. This Act shall come into force at seven o'clock in the afternoon of Saturday, the 16th day of September, A.D. 1916, but the provisions of this Act with respect to applications for licenses and all matters connected therewith or appertaining thereto and with respect to the issue of such licenses may be resorted to, applied and followed at any time before the said date for the purpose of procuring the issue of licenses under this Act to take effect on and from the date of the coming into force of this Act.

Repeal of
Rev. Stat.,
c. 215 to
take effect
16th Sep-
tember.

150. *The Liquor License Act*, being Chapter 215 of the Revised Statutes of Ontario, 1914, and all amendments thereto are repealed, such repeal to take effect at the hour of seven o'clock in the afternoon of Saturday, the 16th day of September, 1916.

SCHEDULE "A."

PROVINCE OF ONTARIO, 1916-17.

Vendor's License.

(Sec. 33.)

A.B.
is hereby authorized during the period commencing on the
day of _____, 191____, and ending on the
day of _____ 191____, subject to the provisions of *The*
Ontario Temperance Act, to sell in his warehouse, situate at
_____, alcohol and other liquors to such
persons as are entitled to purchase the same under the provisions
of said Act not exceeding the quantities therein mentioned.

Dated this _____ day of _____, 191____.

.....
Provincial Secretary.

Countersigned,

.....
Chairman of the Board of License Commissioners
for Ontario.

SCHEDULE "B."

PROVINCE OF ONTARIO.

The Ontario Temperance Act.

(Sec. 14.)

To the Board of License Commissioners for Ontario.

I,
hereby apply for the issue to me of a Vendor's License under *The*
Ontario Temperance Act for the current license year. I carry on
business at _____, and am the
true owner thereof.

That I have not been convicted of selling liquor illegally and that
I will faithfully observe the provisions of the law respecting the
sale of liquor by *vendors* under the aforesaid Act.

Dated this _____ day of _____, 191____

(Signed).....

FORM No. 1.

AFFIDAVIT OF APPLICANT FOR LICENSE.

Canada:
Province of Ontario,
County of _____
To Wit:

I _____ of the _____ of _____,
in the Province of Ontario,
and say: _____, make oath

1.

1. I am the applicant named in the within application for the issue to me of a License under the provisions of *The Ontario Temperance Act*.

2. The statements contained in the said application are true.

Sworn before me at
in the Province of Ontario
this day of
A.D. 191

FORM No. 2.

AFFIDAVIT OF RESIDENTS.

Canada:
Province of Ontario,
County of
To Wit:

We, _____ of the _____ of _____
in the Province of Ontario, and _____ of the _____
do severally make oath and say: _____ in the Province of Ontario,

1. That we know _____ the applicant
named in the within application.

2. The statements contained in the said application are true.

The above named
and were severally
sworn before me at
in the Province of Ontario,
this day of
A.D. 191

SCHEDULE "C."

THE ONTARIO TEMPERANCE ACT.

(Sec. 15.)

Bond of Vendor.

Know all men by these presents that we,
of _____ and _____
of _____ and _____
of _____ are held and firmly bound
unto His Majesty the King, his heirs and successors, as follows,
that is to say the said _____ in the
sum of five hundred dollars of good and lawful money of Canada,
the said _____ in the sum of two
hundred and fifty dollars of like good and lawful money, and the
said _____ in the sum of two
hundred and fifty dollars of like good and lawful money, for pay-

ment

ment of which well and truly to be made we bind ourselves and each of us, our heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated this
day of

A.D. 191

Whereas the above bounden has
applied for and is about to obtain a Vendor's License authorizing
him during the period commencing on the
day of and ending
on the day of to sell
subject to the provisions of the said *The Ontario Temperance Act*
in the warehouse or store defined as follows: alcohol
and other liquor.

Now, therefore, the condition of this obligation is such that if
the said shall at all times during
the continuance of the said license well and faithfully keep and
observe all the regulations and requirements of the said *The Ontario
Temperance Act* in respect of the said Vendor's License so
to be issued to him, and shall not violate any of the provisions
of the said Act, and shall pay all fines and penalties which he may
be condemned to pay for any offence against any statute or other
provision having the force of law now or hereafter to be in force
relative to such Vendor's License, and do and perform and
observe all rules and regulations that are or may be established
by competent authority on such behalf, then this obligation shall
be void, otherwise it shall remain in full force, virtue and effect.

Signed, sealed and delivered
in the presence of

SCHEDULE "D."

Ontario:
To Wit:

I of the of
in the Province of Ontario, make oath and say;

That I reside at the of in the Province of
Ontario, and am engaged in (state occupation).

That of is required by me to be used
for purposes, and for no other purpose; that
such liquor is not intended to be used as a beverage or mixed with
any other liquor for use as a beverage nor to sell nor to give away.

That this application is made to
vendor, for said liquor.

Sworn before me at
in the Province of Ontario,
this day of
A.D. 191

A Commissioner in B.R.

SCHEDULE

SCHEDULE "E."

Ontario

To Wit:

I, _____, of the _____ of
 in the Province of Ontario, minister of the Gospel and now being
 of the _____ Church
 at _____ hereby request you to sell me for sacramental
 purposes only _____ of _____ wine.

Dated at _____, this _____ day of _____, A.D. 191

To

A.B.

Druggist.

SCHEDULE "F."

GENERAL FORM OF INFORMATION.

ONTARIO. } THE INFORMATION of A.B., of the township of
 County of York. } York, in the County of York, License In-
 To Wit: } spector, laid before me, C.D., Police Magis-
 trate, in and for the City of Toronto, [or one of His Majesty's
 Justices of the Peace, in and for the County of York], the
 day of _____ A.D. 19

The said informant says, he is informed and believes that X.Y.
 on the _____ day of _____ A.D. 19, at the Township
 of York in the County of York, unlawfully did sell liquor in con-
 travention of *The Ontario Temperance Act*.

Laid and signed before me the }
 day and year, and at the }
 place first above mentioned. }

O.D.

A.B.

P.M. or J.P.

FORMS DESCRIBING OFFENCES.

1. *Allowing liquor to be illegally consumed on premises under license.*

"That X.Y., having a vendor's license

at _____ unlawfully did
 allow liquor to be consumed within his warehouse (or shop, or
 within a building which forms part of, (or is appurtenant to or
 which communicates by an entrance with a warehouse or shop, or
 premises), in contravention of *The Ontario Temperance Act*."

2. *Illegal sale by druggists.*

"That X.Y., being a druggist on _____ at _____,
 did unlawfully sell liquor for other than strictly medicinal purposes
 or without a certificate from any legally qualified medical practi-
 tioner, or sell liquor without recording the same), in contravention
 of *The Ontario Temperance Act*."

3. *Harbouring constables on duty.*

"That X.Y., being a licensed vendor at _____, on _____,
 unlawfully and knowingly did harbour [or entertain or suffer to
 abide and remain on his premises] O.P., a constable belonging to
 a police force."

4. *Compromising or compounding a prosecution.*

"That X.Y., having violated a provision of *The Ontario Temperance
 Act*, on _____ at _____, unlawfully did compromise (or compound,
 or settle, or offer, or attempt to compromise, compound, or settle),
 the offence with A.B., with the view of preventing any complaint

being

being made in respect thereof [or with the view of getting rid of, or of stopping, or of having the complaint made in respect thereof dismissed, as the case may be]."

5. *Being concerned in compromising a prosecution.*

"That X.Y., on _____, at _____, unlawfully was concerned in [or a party to] a compromise [or a composition, or a settlement] of an offence committed by O.P., against a provision of *The Ontario Temperance Act*."

6. *Tampering with a witness.*

"That X.Y., on a certain prosecution under *The Ontario Temperance Act*, on _____, at _____, unlawfully did tamper with O.P., a witness in such prosecution, before [or after] he was summoned [or appeared] as such witness on a trial [or proceeding] under the said Act, [or unlawfully did induce, or attempt to induce, O.P., a witness in such prosecution, to absent himself, or to swear falsely]."

7. *Refusing to admit policeman.*

"That X.Y., on the _____, at _____, being in (or having charge of) the premises of O.P., being a place where liquor is reputed to be sold unlawfully) did refuse (or fail) to admit [or did obstruct or attempt to obstruct] E.F., an officer demanding to enter in the execution of his duty [or did obstruct or attempt to obstruct E.F., an officer making searches in said premises, and in the premises connected with such place]."

2. *Officer refusing to prosecute.*

"That X.Y., being a police officer [or constable, or Inspector of Licenses in and for the _____, in the County of _____, knowing that O.P. had on _____, at _____, committed an offence against the provisions of *The Ontario Temperance Act*, unlawfully and wilfully did, and still does, neglect to prosecute the said O.P. for his said offence."

FORM OF INFORMATION FOR SECOND OR SUBSEQUENT OFFENCE.

ONTARIO, } THE INFORMATION of A.B., of, etc., License In-
County of York, } spector, laid before me, C.D., Police Magis-
To Wit: } trate in and for the _____ of
[or one of His Majesty's Justices of the Peace in and for the County
of _____], the _____ day of _____ A.D. 19 ____.

The said informant says he is informed and believes that X.Y., on _____, at _____, [describe last offence].

And further that the said X.Y. was previously, to wit: on the _____ day of _____ A.D. 19 ____, at the City of Toronto, before C.D., Police Magistrate in and for the _____ of _____ [or at the _____ of _____, in the County of York, before E.F. and G.H., two of His Majesty's Justices of the Peace for the County of _____], duly convicted of having, on the _____ day of _____, 19 ____, at the _____ of _____, in the County of _____, unlawfully sold liquor in contravention of *The Ontario Temperance Act* [or as the case may be.]

And further, that the said X.Y. was previously, to wit: on the _____ day of _____, A.D. 19 ____, at the _____ of _____, in the County of _____, before, etc. [as in preceding paragraph], again duly convicted of having, on the _____ day of _____, A.D. 19 ____, at the _____ of _____, in the County of _____, unlawfully allowed liquor to be consumed within a building which communicates by entrance with his shop.

And

And further, that the said X.Y. was previously, to wit: on the day of , A.D. , at the town of , in the County of , before, etc., (see above), again duly convicted of having on the day of , A.D. at the of , in the County of (being in charge of the premises of O.P., a place where liquor was reputed to be sold), unlawfully failed to admit E.F., an officer demanding to enter in the execution of his duty.

And the informant says the offence hereinbefore firstly charged against the said X.Y. is his offence against *The Ontario Temperance Act*.

Laid and signed before me the day
and year, and at the place first
above mentioned.

C.D.,

A.B.

J.P.

SUMMONS TO WITNESS.

ONTARIO,
County of York,
To Wit:

To J.K., of the City of Toronto, in the County
of York.

Whereas, information has been laid before me, C.D., one of His Majesty's Justices of the Peace in and for the of (or Police Magistrate for the of), that X.Y. being a druggist, on the day of , 19 , at the Township of , in the County of , unlawfully did sell liquor for other than strictly medicinal purposes, and it has been made to appear to me that you are likely to give material evidence on behalf of the prosecutor in this behalf.

These are to require you, under pain of imprisonment in the Common Gaol, personally to be and appear on Tuesday, the day of , A.D. 19 , at ten o'clock in the forenoon, at the of , in the of , before me or such Justice or Justices of the Peace as may then be there, to testify what you shall know in the premises [and also to bring with you and there and then produce all and every invoices, cash books, day books, of ledgers and receipts, promissory notes, or other security relating to the purchase or sale of liquor by the said X.Y., and all other books and paper, accounts, deeds, and other documents in your possession, custody or control, relating to any matter connected with the said prosecution].

Given under my hand and seal this day of ,
A.D. 19 , at the of , in the County of .
C.D.,
J.P. (L.S.)

FORM OF CONVICTION FOR FIRST OFFENCE.

ONTARIO,
County of York,
To Wit:

BE IT REMEMBERED that on the day
of A.D. 19 , at the of
, in the said County of York, X.Y.

was convicted before me, C.D., Police Magistrate in and for the
of (or before us, E.F. and G.H., two of His Majesty's
Justices of the Peace in and for the said County), for that he, the
said

said X.Y., on the day of , A.D. 19 , at the
 of , in the said County, in his premises
 unlawfully did sell liquor in contravention of *The Ontario Temperance Act*, A.B., being the informant, and I (or we) adjudge the said X.Y., for his said offence, to forfeit and pay the sum of \$, to be paid and applied according to law, and also to pay to the said A.B. the sum of \$ for his costs in this behalf, and if the said several sums be not paid forthwith, then I [or we] order that said sums to be levied by distress and sale of the goods and chattels of the said X.Y., and in default of sufficient distress in that behalf [or if distress is not ordered omit the foregoing words and proceed] I (or we) adjudge the said X.Y. to be imprisoned in the Common Gaol for the County of , at , in the said County, and there to be kept for the space of , unless the said sums and the costs and charges of conveying the said X.Y. to the said Common Gaol shall be sooner paid.

Given under my hand and seal [or our hands and seals] the day and year first above mentioned, at the of , in the County aforesaid.

C.D., (L.S.)
Police Magistrate.

or E.F., (L.S.)
 J.P.

G.H., (L.S.)
 J.P.

FORM OF CONVICTION FOR A SECOND OR SUBSEQUENT OFFENCE.

ONTARIO, } BE IT REMEMBERED that on the day
 County of York, of , A.D. 19 , in the of
 To wit: , in the said County, X.Y. is con-
 victed before the undersigned C.D., Police Magistrate in and for
 the of , in the said County [or C.D. and E.F., two
 of His Majesty's Justices of the Peace in and for the said County],
 for that he, the said X.Y., on the day of ,
 A.D. 19 , at the of [or of], in
 said County (as the case may be), having violated a provision of
The Ontario Temperance Act, unlawfully did attempt to settle the
 offence with A.B., with the view of having the complaint made in
 respect thereof dismissed. And it appearing to me (or us) that the
 said X.Y. was previously, to wit; on the day of ,
 A.D. 19 , at the City of Toronto, before, etc., duly convicted of
 having on the day of , A.D. 19 , at the
 of , unlawfully sold liquor. And it also
 appearing to me (or us) that the said X.Y. was previously to wit:
 on the day of , A.D. 19 , at the
 of , before , etc. (see above)
 again duly convicted of having, on the day of ,
 A.D. 19 , at the of , in the said
 of , unlawfully allowed gambling
 (or as the case might be).

I [or we] adjudged the offence of said X.Y., hereinbefore firstly
 mentioned to be his offence against *The Ontario Temperance Act* (A.B. being the informant), and I (or we) adjudged the said X.Y., for his said offence, to be imprisoned in the Common Gaol of the said of , at , in the said County of , there to be kept without hard labour [or with hard labour

labour, *as the case may be*] for the space of three calendar months
(*or as the case may be*).

Given under my hand and seal [*or our hands and seals*] the day
and year first above mentioned, at Toronto, in the County of York.

<i>C.D.</i>	(<i>L.S.</i>)
<i>or</i>	
<i>C.D.</i>	(<i>L.S.</i>)
<i>E.F.</i>	(<i>L.S.</i>)

WARRANT OF COMMITMENT FOR A FIRST OFFENCE WHERE A PENALTY IS
IMPOSED.

ONTARIO, } To ALL or any of the Constables or other Peace
County of , } Officers in the said County of
To Wit: } and to the Keeper of the Common Gaol
of the said County at } in the County of .

Whereas *X.Y.*, late of the of , in the said
County, was on this day convicted before the undersigned, *C.D.*,
Police Magistrate in and for the of [*or C.D. and*
E.F.], two of His Majesty's Justices of the Peace in and for the
of or County of (*as the case may be*), for
that *Le*, the said *X.Y.*, on , at , unlawfully did
sell liquor in contravention of *The Ontario Temperance Act* (*state*
offence as in the conviction). (*A.B.* being the informant), and it
was thereby adjudged that the said *X.Y.*, for his offence, should for-
feit and pay the sum of (*as in conviction*), and should
pay to the said *A.B.* the sum of for his costs in that
behalf.

And it was thereby further adjudged that if the said several sums
should not be paid forthwith, the said *X.Y.* should be imprisoned
in the Common Gaol of the said County at , in the said
County of , there to be kept at hard labour (*or as the case*
may be) for the space of , unless the said several sums
and the costs and charges of conveying the said *X.Y.* to the said
Common Gaol should be sooner paid.

And whereas the said *X.Y.* has not paid the said several sums,
or any part thereof, although the time for payment thereof has
elapsed.

[*If a distress warrant issued and was returned, no goods, or not*
sufficient goods, say, "And whereas, afterwards on the
day of , A.D. 19 , I, the said Police Magistrate (or
we, the said Justices), issued a warrant to the said Constables or
Peace Officers, or any of them, to levy the said several sums of
and by distress and sale of the goods and
chattels of the said X.Y.;

"And whereas it appears to me (*or us*) as well, by the return of
the said warrant of distress by the Constable who had the execution
of the said or otherwise, that the said Constable has made diligent
search for the goods and chattels of the said *X.Y.*, but that no
sufficient distress whereon to levy the said sums could be found."]

These are, therefore, to command you, the said Constables or
Peace Officers, or any one of you, to take the said *X.Y.*, and him
safely convey to the Common Gaol as aforesaid, at in the
County of , and there deliver him to the Keeper thereof,
together with this precept.

And I (or we) do hereby command you, the said Keeper of the said Common Gaol, to receive the said X.Y. into your custody in the said Common Gaol, there to imprison him and keep him for the space of (without hard labour or with hard labour, as the case may be) unless the said several sums and all costs and charges of the said distress, amounting to the sum of and of the commitment and conveying of the said X.Y. to the said Common Gaol, amounting to the further sum of , shall be sooner paid unto you, the said Keeper, and for so doing this shall be your sufficient warrant.

Given under my hand and seal (or our hands and seals) this day of , at , in the said County of .

C.D. (L.S.)

or

C.D. (L.S.)

G.H. (L.S.)

WARRANT OF COMMITMENT FOR SECOND (or SUBSEQUENT) OFFENCE,
WHERE PUNISHMENT IS BY IMPRISONMENT ONLY.

ONTARIO, } To ALL or any of the Constables or other Peace
County of York, } Officers in the said County of
To Wit: } and to the Keeper of the Common Gaol
of the said County at , in the County of

Whereas X.Y., late of the of , in the said County, was on this day convicted before the undersigned, C.D., etc., (or C.D. and E.F., etc., as in preceding form); for that he, the said X.Y., on at (state offence, with previous convictions, as set forth in the conviction for the second or third offence, or as the case may be, and then proceed thus): "And it was thereby adjudged that the offences of the said X.Y., hereinbefore firstly mentioned, was his second (or third) offence against The Ontario Temperance Act (A.B. being the informant). And it was thereby further adjudged that the said X.Y., for his said second (or third) offence should be imprisoned in the Common Gaol of the said County of , at , in the said County of , and there to be kept without hard labour (or with hard labour, as the case may be) for the space of calendar months.

These are, therefore, to command you, the said Constables, or any one of you, to take the said X.Y., and him safely convey to the said Common Gaol at , aforesaid, and there deliver him to the Keeper thereof, with this precept. And I (or we) do hereby command you, the said Keeper of the said Common Gaol to receive the said X.Y. into your custody in the said Common Gaol, there to imprison him and keep him without hard labour (or with hard labour, as the case may be) for the space of calendar months.

Given under my hand and seal (or our hands and seals), this day of , A.D. 19 , at , in the said County of .

C.D. (L.S.)

or

C.D. (L.S.)

E.F. (L.S.)

FORM

FORM OF DECLARATION OF FORFEITURE AND OF ORDER TO DESTROY
LIQUOR SEIZED.

If in conviction, after adjudging penalty or imprisonment, as in form 7, proceed thus:

"And I [or we] declare the said liquor and vessels in which the same is kept, to wit: two barrels containing beer, three jars containing whiskey, two bottles containing gin, four kegs containing lager beer, and five bottles containing native wine [*or as the case may be*], to be forfeited to His Majesty, and I [or we] do hereby order and direct that T.D., License Inspector of the do forthwith destroy the said liquor and vessels." [*Where the quantity is large add after the words "His Majesty" the words "to be dealt with as the Minister may direct."*]

Given under my hand and seal the day and year above mentioned, at, etc.

If by a separate or subsequent Order:

"COUNTY OF YORK, } We, E.F. and G.H., two of His Majesty's
To Wit: } Justices of the Peace for the County of
[or C.P., Police Magistrate of the of
having on the day of , 19 , at the Township of
, in the said County, duly convicted X.Y. of having unlawfully kept liquor for sale in contravention of *The Ontario Temperance Act*, do hereby declare the said liquor and vessels in which the same is kept, to wit: [*describe the same as above*], to be forfeited to His Majesty, and we [or I] do hereby order and direct that J.P.W., License Inspector of the do forthwith destroy the said liquor and vessels." [*Where the quantity is large add after the words "His Majesty" the words "to be dealt with as the Minister may direct."*]

Given under our [or my] hands and seals, this day
of , A.D. 19 , at the Township of Scarboro, in the
said County.

E.F. (L.S.)

or

G.H. (L.S.)

C.D. (L.S.)

CHAPTER 51.

An Act to amend The Public Health Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 8 of *The Public Health Act* is amended by inserting therein the following clauses:—

(dd) The construction, repair, renewal, alteration and inspection of plumbing, the material to be used in the construction of, and the location of drains, pipes, traps, and other works and appliances forming part of or connected with the plumbing in any building or upon any property or in any highway, street, lane or public place, and in any structure or place, whether permanent or temporary, constructed or used thereon or therein. Rev. Stat. c. 218, s. 8, amended. Regulations as to plumbing.

(ddd) The location, construction, repair, renewal, alteration, and inspection of sewers, drain-pipes, manholes, gully traps, flush tanks, and other works, in or upon public, municipal or private property, forming part of or connected with any municipal sewerage system. Sewerage system.

2. Section 13 of *The Public Health Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 218, s. 13, amended.

(10) The Provincial Board, every district officer of health and inspector, and every medical officer of health and sanitary inspector shall have authority to enforce the By-law set out in Schedule B, or any amendment thereof approved by the Provincial Board, and any by-law respecting the milk supply of, and any other by-law respecting sanitary matters in a municipality, and for this purpose may institute proceedings for the prosecution of offenders against any of the said by-laws. Enforcement of sanitary by-laws.

3. Section 37 of *The Public Health Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 218, s. 37, amended.

Dismissal
of M. O. H.
for neglect
of duty.

- (2) A medical officer of health who refuses or neglects to carry out the provisions of this Act or the Regulations, or any special order of the Provincial Board, or any by-law of the municipality relating to sanitary matters, may be dismissed from office by the Provincial Board or by the municipal corporation on the recommendation of the Board.

Rev. Stat.
c. 218, s. 53,
amended.

4. Section 53 of *The Public Health Act* is amended by adding thereto the following subsection:—

Notice of
communi-
cable
disease to
be included
in weekly
report.

- (3) Every such notice filed with the medical officer of health shall be transmitted forthwith by him to the secretary of the local board of health, and shall be included in the weekly report required to be sent to the Provincial Board under section 24.

Rev. Stat.
c. 218, sec-
tions 75
and 76,
repealed.

5. Sections 75 and 76 of *The Public Health Act* are repealed and the following inserted in lieu thereof:—

Inspection
of muni-
cipality.

75. The Medical Officer of Health of any municipality, or any inspector or other person in the employ of the Local Board acting under his instructions, or any member of a Local Board may enter, inspect and examine at any time of the day or night, as often as he thinks necessary, any premises within the municipality for the purpose of carrying out the provisions of this Act, and may take such action as he deems necessary for carrying out the said provisions, and any person in charge of such premises for the time being shall render such aid to the Medical Officer of Health or other person as may be necessary to make such inspection or examination.

Duty of
medical
health
officer.

- 76.—(1) Every Medical Officer of Health shall see that the municipality or location for which he is appointed is regularly inspected in order to prevent nuisances or to abate any existing nuisance.

Examina-
tion of
premises
and order
for
cleansing.

- (2) If upon such examination he finds any premises in a filthy or unclean state, or that any matter or thing is there which, in his opinion, may endanger the public health, he may order the owner or occupant of the premises to cleanse the same, and to remove or destroy what is so found therein.

6.—(1) Subsection 1 of section 103 of *The Public Health Act* is amended by striking out the word “four” in the third line and inserting in lieu thereof the word “two.” Rev. Stat. c. 218, s. 103, subs. 1, amended.

(2) Subsection 2 of section 103 of *The Public Health Act* is amended by striking out the word “four” in the second line and inserting in lieu thereof the word “two.” Rev. Stat. c. 218, s. 103, subs. 2, amended.

7. Section 110 of *The Public Health Act* is amended by adding the following subsection:— Rev. Stat. c. 218, s. 110, amended.

(4) Every person who sells either publicly or privately any of the biological products supplied to the public free of charge by the Board shall incur a penalty of \$100, and in default of payment thereof shall be liable to imprisonment for a period of three months. Penalty for selling biological products supplied by Board.

8. Section 115 of *The Public Health Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 218, s. 115, amended.

(3) The By-law set out in Schedule B and any amendment thereof approved by the Provincial Board shall have the same force and authority as a regulation made under this Act by the Provincial Board. Effect of by-law, sched. “B.”

9. Subsection 2 of section 125 of *The Public Health Act* is amended by inserting after the word “officer” in the first line the words “or officers.” Rev. Stat. c. 218, s. 125, subs. 2, amended.

CHAPTER 52.

An Act to improve the Quality of Dairy Products.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Dairy Standards Act*. Short title.

2. In this Act— Interpretation.

(a) "Factory" shall mean and include a cheese factory or butter manufactory, condensed milk factory, creamery, milk powder factory, milk or cream buying or receiving station or other premises where milk and cream is collected for sale or shipment or manufacture;

(b) "Patron" shall mean one who habitually sells milk or cream at a factory.

3.—(1) All milk and cream received at a factory shall be paid for— Basis of payment for milk and cream

(a) on the basis of its fat content as determined by the Babcock test; or

(b) on the basis of its fat content as determined by the Babcock test plus the factor 2.

(2) In determining the fat content of milk supplied to a factory the measuring pipette shall have a capacity of 17.6 c.c. a Measuring fat content of milk. officially stamped.

(3) In determining the fat content of cream supplied to a factory the sample of cream taken for testing shall be weighed into a test bottle officially stamped and shall weigh 9 or 18 grams. a Measuring of fat content of cream.

Basis of
grading
cream for
butter.

4.—(1) For the purpose of determining standards of grades of cream for buttermaking purposes at a factory the basis of grading shall be—

(a) first grade cream to consist of cream suitable for making first quality butter;

(b) second grade cream to consist of all other cream accepted by the buttermaker for making butter;

and payment for the cream shall be based on the proportion of these two classes.

Proclama-
tion of
section.

(2) This section shall come into effect upon proclamation of the Lieutenant-Governor in Council, and the Lieutenant-Governor in Council may establish additional grades.

Penalty for
over-read-
ing or
under-
reading test.

5. Any person who over-reads or under-reads the Babcock test shall upon summary conviction thereof be liable to a penalty of not less than \$10 nor more than \$50.

Pasteuriz-
ing whey.

6. When the whey from a factory is returned in the same milk cans in which the milk is hauled to the factory the whey shall be properly pasteurized.

Regulations.

7. For the purpose of carrying into effect the provisions of this Act, according to their true intent, the Lieutenant-Governor in Council, on the recommendation of the Minister of Agriculture, may make such regulations as may be deemed necessary, advisable or convenient, and may impose penalties for the violation thereof, and such regulations shall have the same force and effect as if incorporated herein.

Act not to
apply to
milk for
human con-
sumption.

8. Nothing in this Act shall apply to milk sold or offered for sale for human consumption.

Penalties.
Rev. Stat.
c. 90.

9. The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Commence-
ment of
Act.

10. This Act shall come into force on the 31st day of March, 1917.

CHAPTER 53.

An Act to amend The Children's Protection Act of Ontario.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Children's Protection Amendment Act, 1916.* Short title.

2. Clause *g* of subsection 1 of section 2 of *The Children's Protection Act of Ontario* is repealed and the following substituted therefor:— Rev. Stat. c. 231, s. 2, subs. 1, cl. ~~g~~, repealed.

(*g*) "Municipality" shall mean and include a county, a city, a town, having a population of not less than 1,500 in a territorial district, a town separated from the county for municipal purposes, and a provisional judicial district. "Municipality," meaning of.

3. Section 9 of *The Children's Protection Act of Ontario* is amended by inserting therein the following subsections:— Rev. Stat. c. 231, s. 9, amended.

(4a) The evidence of every witness shall be taken under oath, and the Judge shall cause the same to be taken down in writing, and signed by the witness in the same manner as upon a preliminary investigation before a Justice. Taking evidence on apprehension of child.

(4b) The Judge shall not proceed to hear or dispose of the matter, until he is satisfied that the parents or the person, having the actual custody of the child (if he is in the custody of any person other than a parent), have been notified of the investigation, or that every reasonable effort has been made in the opinion of the Judge to cause them to be so notified. Notification of parents, guardians, etc.

8a. A certified copy of the evidence taken, and of other proceedings under the hand and seal of the Judge, shall be transmitted to the Superintendent with the certified copy of the order of the Judge.

Proceedings to be certified to Superintendent.

4. *The Children's Protection Act of Ontario* is amended by inserting therein the following section:—

Rev. Stat. c. 231, amended.

28a.—(1) For the purpose of this Act, a child shall be deemed to be a Protestant child if its father is a Protestant, and a child shall be deemed to be a Roman Catholic child if its father is a Roman Catholic, unless it is shown that an agreement had been entered into in writing, signed by the parents, that the child should be brought up in the faith of its mother and that faith is not the faith of its father.

When child to be deemed Protestant or Roman Catholic.

(2) The illegitimate child of a Protestant mother shall be deemed to be a Protestant child, and the illegitimate child of a Roman Catholic mother shall be deemed to be a Roman Catholic child.

Illegitimate child.

CHAPTER 54.

An Act respecting Juvenile Courts.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Juvenile Courts Act, 1916.*

Court to be established wherever *Juvenile Delinquents Act* in force.

2.—(1) In every city, town and county in which *The Juvenile Delinquents Act, 1908*, being chapter 40, 7-8 Edward VII (Dominion), has been proclaimed or shall hereafter be proclaimed, there shall be a Court of Record to be known as The Juvenile Court of the city, town or county or other area as the case may be.

Territorial jurisdiction of Court.

(2) Such Court shall have jurisdiction within such territory, in addition to the area included within the limits of such city, town or county, as the Lieutenant-Governor in Council may from time to time designate.

Court may be established in any municipality.

(3) The Lieutenant-Governor in Council may at any time establish a Juvenile Court for any municipality or for any portion thereof.

JUDGES.

Judge, appointment of.

3.—(1) The Judge of a Juvenile Court shall be appointed by the Lieutenant-Governor in Council, and shall hold office during good behaviour and residence in the county for which he is appointed and shall be subject to removal by the Lieutenant-Governor in Council for inability, incapacity or misbehaviour, established to his satisfaction.

Appointments herebefore made validated.

(2) Every appointment of a Juvenile Court Judge heretofore made, whether by the Lieutenant-Governor in Council or by the proclamation putting *The Juvenile Delinquents Act* in force is hereby declared to be valid and to be subject to the provisions of subsection 1 of this section.

(3)

(3) In the event of the absence or illness of the Judge of the Juvenile Court, on the written request of the said Judge, or on the request of the Attorney-General, any person may act as Judge of the Juvenile Court. Who may act in absence of Judge.

(4) Any Justice of the Peace may, on the written request of the Attorney-General, act as Juvenile Court Judge for the trial of any case specified in the said request and shall while so acting have all of the powers of a Juvenile Court. When J.P. may act.

JURISDICTION.

4. Every Juvenile Court established pursuant to the provisions of this Act, shall be a Juvenile Court within the meaning and for the purposes of *The Juvenile Delinquents Act, 1908*, being chapter 40, 7-8 Edward VII (Dominion), and shall have all the powers vested in a Juvenile Court under that Act, and shall also have power to try any child charged with an offence against the laws of Ontario, and to deal with all cases arising under the provisions of *The Children's Protection Act, The Industrial Schools Act, and The Truancy Act*. Jurisdiction as to offences.
Rev. Stat. cc. 231, 271, 274.

OFFICERS.

5.—(1) The Clerk and other officers of a Juvenile Court shall be appointed and be removable by the Judge of such Court with the written approval of the Attorney-General. Officers, appointment and removal.

(2) All officers of the Juvenile Court shall be in all respects subject to the orders and directions of the Judge of such Court. To act upon orders of Judge.

(3) The officers of all Juvenile Courts at present in existence shall continue to hold their said offices, but shall be subject to removal as provided in subsection 1 of this section. Tenure of office.

CLERKS.

6. There shall be a Clerk for each Juvenile Court and (subject to the provisions of section 17 hereof) such other officers and staff as the Judge of such Court shall deem necessary. Clerk and office staff.

7. It shall be the duty of the Clerk of a Juvenile Court to see that all cases to be heard before the Court are properly prepared, to have before the Court all papers and documents in such cases, to arrange for the sittings of the Court, and to preserve order during such sittings and to perform such other duties as may be directed by the Judge of the Court. Duties of clerk.

Records.

8. The Clerk shall keep proper records, the form of which shall be approved by the Attorney-General, containing full particulars of the cases dealt with by the Court, including the disposition or order made in each case, the parentage, nationality and religion of each delinquent or neglected child, and such other information as may be required.

PROBATION OFFICERS.

Probation officers' appointment.

9. The Judge of a Juvenile Court (subject to the provisions of sections 5 and 17 hereof) may appoint such probation officers for the Court as he may deem necessary or desirable, who shall be paid such salaries as may from time to time be determined, and who shall hold office during the pleasure of the Judge of the Court.

Agent of Children's Aid Society to be ex officio probation officer. Appointment without remuneration.

10. Every agent of a Children's Aid Society shall *ex officio* be a probation officer of the Juvenile Court of the city or county in which such society is situated.

11. Upon the consent of the person to be appointed, the Judge may appoint any person willing to perform the services of a probation officer without remuneration, to be a voluntary probation officer, and may at any time revoke such appointment.

Duties of probation officer.

12. Every probation officer shall be under the control of the Judge of the Juvenile Court of which he is an officer and shall perform such duties as may be assigned to him by the Judge.

Powers of probation officer.

13. Every probation officer duly appointed as hereinbefore provided, while acting in the discharge of his duties as such probation officer, shall have all the powers of a peace officer.

To have powers of truant officer under Rev. Stat. c. 274.

14. Every probation officer shall have all the powers of a truant officer under the provisions of *The Truancy Act*.

JUVENILE COURT COMMITTEE.

Committee.

15. There shall be in connection with every Juvenile Court a committee of citizens, serving without remuneration, to be known as "The Juvenile Court Committee," which committee shall be constituted as provided by section 23 of *The Juvenile Delinquents Act, 1908* (Dominion).

DETENTION HOMES.

Temporary homes, etc., Rev. Stat. c. 231.

16.—(1) Every temporary home or shelter provided for children under section 6 of *The Children's Protection Act*, and every orphans' asylum or children's home the trustees of

of which have given their consent thereto, shall be a detention home within the meaning of *The Juvenile Delinquents Act*.

(2) Subject to the provisions of *The Juvenile Delinquents Act*, the Attorney-General may declare any place, house, home or institution a detention home within the meaning of that Act. Declaring place a detention home.

(3) The Attorney-General may make regulations for the government and management of detention homes in so far as they are used for that purpose. Government of detention homes.

(4) The corporation of the city, separated town, or county within which the offence with which the child is charged was committed shall be liable for all expenses of maintaining such child in any detention home. Liability for maintenance in detention home.

(5) The corporation of any city, town or county in which a Juvenile Court is established and in which there is no detention home, or in which there is no detention home of sufficient capacity, shall provide a detention home satisfactory to the Attorney-General. Duty of corporation.

COURT ROOM, OFFICES AND EXPENSES OF COURT.

17.—(1) The corporation of any city, town or county in which a Juvenile Court is established shall provide a suitable court room and offices for the judge, clerk, probation officers and other officers of the Court and shall make proper provision for the salaries of the judge, clerk, probation officers and other officers of the Court and for the general expenses of the Court. Corporation to provide accommodation and salaries.

(2) The Lieutenant-Governor in Council may fix the salary to be paid to the Judge and the amount to be appropriated for other salaries and for the expenses of the Court, and such salaries and expenses shall be paid by the city, town or county at the time and in the manner set forth in such Order-in-Council; provided that where fixed by the Lieutenant-Governor in Council the total amount so directed to be paid for the expenses of the Court, including salaries, but exclusive of the cost of providing court room and offices and detention home, shall fall within the following limits:— Salaries of Judge and amount of expenses.

Where the district covered by the Court has

(a) a population of more than 200,000, not more than \$15,000;

(b)

Limit of expenses of Court.

Proviso.

(b) a population of more than 75,000 but less than 200,000, not more than \$10,000;

(c) a population of more than 25,000 but less than 75,000, not more than \$6,000;

(d) a population less than 25,000, not more than \$3,500.

Adminis-
tration of
Act.

18. The Superintendent of Neglected and Dependent Children shall have charge of the administration of this Act, subject to the directions of the Attorney-General.

Forms and
regulations

19. The Lieutenant-Governor in Council may prescribe such forms and make such rules and regulations as may be deemed necessary for the full and proper carrying out of this Act.

Rev. Stat.
c. 233,
repealed.

20. *The Juvenile Courts Act* is repealed.

CHAPTER 55.

An Act to amend The Fire Marshals Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Fire Marshals Act* is amended by inserting there-<sup>4 Geo. V.
c. 41</sup>
in the following sections:—^{amended.}

6a. The Superintendent of The Ontario Provincial Police Force shall have and may exercise the powers conferred upon the Fire Marshal by this Act or the regulations with respect to the investigation of the cause, origin and circumstances of fires. ^{Superintendent of Provincial Police,—investigations by.}

6b.—(1) The Fire Marshal, subject to the approval in writing of the Attorney-General, may by writing under his hand, appoint any other person his deputy *pro tempore* for the purpose of holding an investigation into the cause, origin and circumstances of any fire, and for that purpose, the deputy *pro tempore* shall have all the powers conferred upon the Fire Marshal by this Act or the regulations. ^{Fire Marshal's deputy pro tempore.}

(2) The Fire Marshal shall prearrange the terms of payment to which the deputy *pro tempore* shall be entitled for his services with respect to such investigation, but in no case shall such deputy *pro tempore* receive fees and allowances in excess of those payable to a Provincial Coroner holding a fire inquest under *The Coroner's Act*, and such expenses and allowances upon being certified by the Fire Marshal shall be paid out of such moneys as may be appropriated by the Legislature for the expenses of the office of the Fire Marshal. ^{Fees and allowances of deputy.}

2. Section 8 of *The Fire Marshals Act* is amended by<sup>4 Geo. V.
c. 41, s. 8</sup>
adding thereto the following subsection:—^{amended.}

(4)

Particulars
of fire to be
furnished
by insured
Rev. Stat.
c. 183.

- (4) Every person sustaining, or claiming to have sustained a loss by fire on property in Ontario insured wholly or partially in an insurance company not licensed or registered under *The Ontario Insurance Act*, shall report to the Fire Marshal within three days after the occurrence of the fire the particulars of such insurance, the date of the fire, and such other information as may be called for by the regulations, and he shall also within ten days after completing proofs of loss against the company in which he is so insured file with the Fire Marshal a full statement of the amount of loss claimed from every such company.

4 Geo. V.
c. 41, s. 10,
amended.

3. Section 10 of *The Fire Marshals Act* is amended as follows:—

Subs. 1,
repealed.

- (a) Subsection 1 is repealed, and the following substituted therefor:—

Fund for
expenses of
fire marshal.

Rev. Stat.
c. 183.

- (1) For the purpose of providing a fund for the remuneration of the Fire Marshal or other officers appointed or to be appointed under this Act, together with office and travelling expenses and witness fees, every person or corporation transacting the business of fire insurance within the meaning of *The Ontario Insurance Act* shall, in addition to the taxes now required by law to be paid by such person or corporation, pay to the Treasurer of Ontario an amount not exceeding one-third of one per cent. of the gross premiums, or fixed payments and assessments received by such person or corporation in respect of business transacted in Ontario during the preceding year as shown by the annual statement furnished to the Treasurer of Ontario under *The Corporations Tax Act*, and in the case of a mutual fire insurance company as shown by the annual statement furnished to the Department of Insurance under *The Ontario Insurance Act*.

Rev. Stat.
c. 27.

- (b) The following subsection is added:—

Contribution
of person
insured
with un-
registered
companies.

- (1a) Every person sustaining or claiming to have sustained a loss by fire on property in Ontario insured in a company not licensed or registered under *The Ontario Insurance Act* shall pay to the Treasurer of Ontario an amount

amount equal to one per cent. upon the gross amount of loss claimed upon or paid or payable by such company whether the amount is paid in Ontario or elsewhere.

- (c) Subsection 2 is amended by inserting after the word "assessment" in the last line but one, the words "upon the fire insurance companies"; Subs. 2, amended.

- (d) The following subsection is added:—

- (3) The Treasurer of Ontario may make a preliminary assessment of one-third of one per cent. as provided in subsection 1, and such assessment shall be made upon the basis of the premiums, fixed payments and assessments received in respect of business transacted in Ontario during the last complete year for which annual statements have been filed in accordance with *The Corporations Tax Act* and *The Ontario Insurance Act*, and the amount of such assessment shall be subject to the provisions of subsection 2. Preliminary assessment for expenses. Rev. Stat. c. 27, s. 188.

4. *The Fire Marshals Act* is amended by inserting the following section:— 4 Geo. V. c. 41, amended.

- 15a—(1) The corporation of every city and town shall provide a suitable place for the holding of investigations and public inquiries by the Fire Marshal or his deputy, and until such place is provided such investigations and inquiries may be held in Police Court room of the municipality, but at such times as shall not interfere with the use of such court room for the holding of the Police Court. City or town to provide place for holding investigation.

- (2) If a suitable place is not provided by the corporation, the Fire Marshal may procure a suitable place for holding the investigation or inquiry and the expense incurred shall be borne by the corporation. Where city or town does not act.

5. Notwithstanding the repeal of Part 3 of *The Coroner's Act* by section 17 of *The Fire Marshals Act*, a Provincial Coroner appointed under Part 4 of *The Coroner's Act* may act upon the like requisition as in the case of a coroner formerly acting under Part 3 of the said Act, and the provisions of Part 3 shall be deemed to be, and to have been from the time of the said repeal, in force so far as the same are applicable to a provincial coroner or to any inquest or investigation held by him. Repeal of Rev. Stat. c. 92, Pt. III, not to affect powers of Provincial Coroner.

CHAPTER 56.

An Act to amend The Dog Tax and Sheep
Protection Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 246, subs.
1 of s. 3,
amended.

1. Subsection 1 of section 3 of *The Dog Tax and Sheep Protection Act* is amended by adding at the end thereof the following words:—

“ Provided always that any such local municipality may by by-law increase such annual tax to a maximum of \$2 for a dog, if only one, \$3 for each additional dog, and \$5 for a bitch, if only one, and \$6 for each additional bitch owned by him.”

Rev. Stat.
c. 246, subs.
3 of s. 7,
amended.

2. Subsection 3 of section 7 of the said Act is amended by inserting at the beginning thereof the words:—

“ An assessor who fails to carry out the provisions of section 4, or.”

Rev. Stat.
c. 246, s. 18,
amended.

3. Section 18 of the said Act is amended by striking out the words “ not exceeding two-thirds of ” in the ninth line and inserting in lieu thereof the words “ equal to.”

CHAPTER 57.

An Act⁴ to amend The Natural Gas and Oil Wells Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Natural Gas and Oil Wells Act* is amended by adding thereto the following sections:—

Rev. Stat.
c. 250,
amended.

12a.—(1) The Inspector may inspect any main, pipe or duct through which natural gas may be flowing, drawn or pumped or which is intended to be used for any such purpose, and may give notice in writing to the owner or person in control of the main, pipe or duct to remedy any defect found therein which permits or is likely to permit the escape of gas.

Inspection
of mains,
pipes, etc.

Ordering
alterations
or repairs.

(2) If the owner or person in control neglects to remedy the defect within ten days after service of the notice, the Inspector may, without further notice, proceed to make the necessary alterations or repairs.

Procedure
on default
of owner
or person
in control.

(3) The expenses occasioned by or incidental to the inspection, and to such alterations or repairs, may be recovered in the manner provided by section 7 with respect to the expenses mentioned in that section, but on default in payment by the owner or person in control the same shall be payable by the corporation of the municipality in which the defect exists, and such corporation shall have the like recourse against the owner or person in control as is provided in section 7.

Expenses—
recovery
of.

Appeal
from
Inspector
to Mine
Assessor.

- (4) The owner or person in possession or control may, before the expiry of the time fixed by the Inspector, appeal from the order of the Inspector to the Mine Assessor in the manner provided by subsection 3 of section 4, and the decision of the Mine Assessor shall be final and shall not be subject to appeal.

Cancel-
lation of
charter
upon de-
fault in
making
alterations
or repairs.

- 12b.—Where the Inspector finds that a line of pipe conveying gas from one locality to another is constructed or laid down in such a manner, or is so out of repair or otherwise defective, as to permit or be likely to permit of the escape of gas in considerable quantities, he may give to the owner or person in control of the line of pipe notice in writing to make the alterations or repairs prescribed in the notice within a stated time, and upon default in compliance with the terms of the notice, the Lieutenant-Governor in Council, upon the recommendation of the Minister of Lands, Forests and Mines, may suspend or revoke and annul any charter of incorporation or other authority under which the business of conveying gas in the line of pipe is carried on.

Powers of
inspection.

- 12c.—For the purposes of sections 12a and 12b the Inspector, his agents, servants or employees may at any time enter upon any land or other property through into or in which any main, pipe or duct passes or is situate and may make such examination, inspection and enquiries, and do all such work and generally have and exercise all such powers, rights and privileges as in the case provided for by section 6.

CHAPTER 58.

An Act to amend The Steam Boiler Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The sub-clause lettered "ii" in clause *d* of section 2 of *The Steam Boiler Act* is amended by striking out the words "rated at 25 horse-power or under, or a boiler." Rev. Stat.
c. 252, s. 2,
cl. d, ii,
amended.
"Steam-
boiler."
- 2.—(1) The clause lettered *a* in section 3 of the said Act is amended by inserting the words "repair, sale, or exchange" after the word "construction." Rev. Stat.
c. 252, s. 3,
cl. 3,
amended.
Regulations.
- (2) The clause lettered *c* in the said section is amended by adding at the end the words "for the inspection of used boilers when repaired, sold or exchanged." Rev. Stat.
c. 252, s. 3,
cl. c,
amended.
Regulations.
- (3) The said section 3 is further amended by adding thereto the following clause:— Rev. Stat.
c. 252, s. 3,
amended.
Regulations
as to fees.
- (e) For fixing the fees for examination of drawings and specifications, and for making inspections and collecting the travelling expenses incurred by inspectors for such inspections.

CHAPTER 59.

An Act to amend The Noxious Weeds Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 253.

1. Subsection 1 of section 7 of *The Noxious Weeds Act* is amended by adding thereto the following words:—

Giving
notice to
owner or
occupant
in city.

“Such notice in the case of ‘resident land’ in a city may be given by posting the same to the owner or occupant at his address, if known, but if such address be unknown the notice may be addressed to such owner or occupant at the General Post Office of the city.”

CHAPTER 60.

An Act to amend The Ontario Game and Fisheries Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Act passed in the 4th year of His Majesty's reign, chaptered 46, may be cited as *The Ontario Game and Fisheries Amendment Act, 1914*, and this Act may be cited as *The Ontario Game and Fisheries Amendment Act, 1916*. Short titles.

2.—(1) Section 3 of *The Ontario Game and Fisheries Act* is amended by striking out clause (i) and substituting the following therefor:— Rev. Stat. c. 262, s. 3, amended.

(i) "Non-resident" shall mean any person domiciled in the Province for a period of less than six months. "Non-Resident," meaning of.

(2) The said section is further amended by striking out the clause lettered "m."

(3) The said section is further amended by striking out the word "Superintendent" in the first line of clause *n* and substituting therefor the words "Deputy Minister," and by striking out the word "Branch" in the second line of clause *n* and substituting therefor the word "Department." Rev. Stat. c. 262, s. 2, cl. (n), amended. Game and Fisheries Department.

3.—(1) Subsection 1 of section 5 of the said Act is amended by striking out the word "Branch" in the third and fifth lines and substituting the word "Department" therefor. Rev. Stat. c. 262, s. 5, subs. 1, amended.

(2) Subsection 2 of section 5 of the said Act is amended by striking out the word "Branch" in the second line and substituting the word "Department" therefor. Rev. Stat. c. 262, s. 5, subs. 2, amended.

4.—(1) Clause (c) of section 8 of the said Act is amended by inserting the words "Manitoulin and" after the word "for." Rev. Stat. c. 262, s. 8, cl. (c), amended.

(2) Clause (*h*) of section 8 of the said Act is amended by striking out the last five words.

Rev. Stat.
c. 262, s. 9,
repealed.

5. Section 9 of the said Act is repealed and the following substituted as subsection 1:—

Non-
resident's
license.

9.—(1) Non-residents shall not hunt, take, kill, wound or destroy any animal or bird, or carry or use a gun for such purpose except under authority of a license.

Hunting
and trapping
license.

(2) No person shall hunt or trap fur-bearing animals except under the authority of a license, but this shall not apply to farmers or farmers' sons trapping on their own lands.

Rev. Stat.
c. 262, s. 10,
cl. (c),
amended.

6.—(1) Clause (*c*) of section 10 of the said Act is amended by striking out the words "16th day of October to the 15th day of November" in the seventh and eighth lines, and substituting the words "1st day of November to the 30th day of November."

Open
season for
moose, etc.

Rev. Stat.
c. 262, s. 10,
cl. (d),
amended.
Close season
for part-
ridge, etc.,
until 15th
October,
1918.

(2) Clause (*d*) of section 10 of the said Act is amended by adding the following words: "and no grouse, prairie fowl or partridge shall be hunted, taken or killed before the 15th day of October, 1918."

Rev. Stat.
c. 262, s. 10,
cl. (e),
amended.

(3) Clause (*e*) of section 10 of the said Act is amended by striking out the words "1st day of October" in the first line and substituting "15th day of October" therefor.

Rev. Stat.
c. 262, s. 10,
cl. (f),
amended.

(4) Clause (*f*) of section 10 of the said Act is amended by striking out the words "15th day of November" in the second line and substituting therefor the words "1st day of November"; and by striking out "1st day of December" in the second and third lines and substituting therefor "15th day of November," and no person shall take or kill more than six quail in one day or twenty-five for the season.

Rev. Stat.
c. 262, s. 10,
cl. (g),
amended.

(5) Clause (*g*) of section 10 of the said Act is amended by striking out the words "15th day of April" in the second line and substituting therefor the words "30th day of April."

Rev. Stat.
c. 292, s. 10,
cl. (h),
amended.

(6) Clause (*h*) of section 10 of the said Act is amended by striking out the words "in the Northern District" in the third line, and the words "15th day of December" in the fourth and fifth lines and substituting the words "31st day of December" therefor.

Rev. Stat.
c. 292, s. 10,
cl. (i),
repealed.

(7) Clause (*i*) of section 10 of the said Act is repealed.

(8)

(8) Clause (j) of section 10 of the said Act is amended by striking out the figures "1915" in the second line and substituting the figures "1920" therefor. Rev. Stat. c. 292, s. 10, cl. (j), amended.

(9) Section 10 of the said Act is further amended by striking out "clause (k)" and substituting the following therefor:— Rev. Stat. c. 262, s. 10, cl. (k), repealed.

(k) Hares may be taken by any means at any time between the 15th day of October and the 15th day of November and between the 23rd day of December and the 2nd day of January following, and may be taken at any other time by any other means than shooting. Hares.

(10) Subsection 2 of section 10 of the said Act is amended by striking out all the words after the word "damage" in the fourth line. Rev. Stat. c. 292, s. 10, amended.

(11) Subsection 3 of section 10 of the said Act is amended by striking out the word "deer" in the second, fourth and sixth lines and substituting the word "game" therefor. Rev. Stat. c. 292, s. 11, subs. 3, amended.

7.—(1) Subsection 2 of section 11 of the said Act is amended by striking out all the words after the word "person" in the second line and substituting the following therefor: "in that part of the Province lying south of the French and Mattawa Rivers except from the 1st day of March to the 21st day of April, and in that part of the Province lying north of the French and Mattawa Rivers from the 1st day of April to the 21st day of May." Rev. Stat. c. 292, s. 11, subs. 2, amended. Muskrat.

(2) Subsection 3 of section 11 of the said Act is repealed. Rev. Stat. c. 292, s. 11, subs. 3, repealed.

8. Subsection 4 of section 11 of the said Act is amended by striking out the words "during the month of April" in the first line. Rev. Stat. c. 292, s. 11, subs. 4, amended.

9. Subsection 8 of section 11 of the said Act is amended by striking out the word "Superintendent" in the first, fourth and eighth lines and substituting the words "Deputy Minister". Rev. Stat. c. 292, s. 11, subs. 8, amended.

10. Section 13 of the said Act is amended by adding the following as subsection 7:— Rev. Stat. c. 292, s. 13, amended.

(7) No person who has taken or killed any bird or animal suitable for food shall allow the flesh thereof to be destroyed or spoilt, and no person who has killed or taken a fur-bearing animal shall allow the skin thereof to be destroyed or spoilt. Flesh and skin not to be wasted.

Rev. Stat.
c. 292, s. 14,
subs. 1,
amended.

Duck
hunting.

11.—(1) Subsection 1 of section 14 of the said Act is amended by adding the following words: "And no person shall hunt, kill, wilfully chase or put to flight any wild ducks or other water fowl that are more than 200 yards from the shore or natural rush bed thick enough to conceal a boat, or from a water line bounding private property."

Rev. Stat.
c. 292, s. 14,
subs. 3,
amended.

Decoys.

(2) Subsection 3 of section 14 of the said Act is amended by adding the following words: "And no person shall set out more than one flock of decoys and no flock of decoys shall consist of more than 50, and no two flocks shall be placed nearer each other than 100 yards."

Rev. Stat.
c. 292, s. 14,
amended.

(3) Section 14 of the said Act is further amended by adding the following as "subsection (5)":—

Traffic in
water fowl
prohibited.

(5) "The purchase or sale of wild ducks, wild geese or other water fowl is prohibited."

Rev. Stat.
c. 292, s. 18,
amended.

Having
eggs in
possession.

12. Section 18 of the said Act is amended by striking out the words "by any person at any time" in the second line and substituting the following therefor: "At any time by any person, except such persons as may hold a permit from the Minister to engage in the business of propagating game birds."

Rev. Stat.
c. 292, s. 20,
amended.

13. Section 20 of the said Act is amended by inserting the word "shot" after the word "no" in the first line.

Rev. Stat.
c. 292, s. 21,
subs. 1,
amended.

14. Subsection 1 of section 21 of the said Act is amended by inserting the words "in a lumber camp or" after the word "employed" in the first line.

Rev. Stat.
c. 292, s. 28,
amended.

15. Section 28 of the said Act is amended by striking out the word "Superintendent" in the first line and substituting the words "Deputy Minister" therefor.

Rev. Stat.
c. 292, s. 32,
amended.

16. Section 32 of the said Act is amended by striking out the word "Superintendent" in the fourth line and substituting the words "Deputy Minister" therefor.

Rev. Stat.
c. 292, s. 35,
amended.

17. Section 35 of the said Act is amended by striking out the word "Superintendent" in the fourth line and substituting the words "Deputy Minister" therefor.

Rev. Stat.
c. 292, s. 39,
cl. (a),
amended.

18. Clause (a) of section 39 of the said Act is amended by inserting the words "pheasants or other game birds" after the word "partridge" in the second line.

19. Subsection 3 of section 40 of the said Act is amended by adding the words "or birds" after the word "animals" in the first, third and fifth lines.

Rev. Stat.
c. 292, s. 40,
subs. 3,
amended

20.—(1) Subsection 4 of section 41 of the said Act is amended by striking out the word "live" in the third, sixth and eighth lines and by inserting the words "or birds" after the word "animals" in the second, third, fourth and fifth lines, and by inserting the word "or bird" after the word "animal" in the seventh and eighth lines.

Rev. Stat.
c. 292, s. 41,
subs. 4,
amended.

Purchase
and sale of
game with-
out license.

(2) Section 41 of the said Act is further amended by adding the following as subsection 6:—

Rev. Stat.
c. 292, s. 41,
amended.

(6) The Minister may grant a permit to any person to take game or fur-bearing animals during the close season for propagating or scientific purposes.

Permit
to take
game, etc.,
for propa-
gating or
scientific
purposes.

(3) Section 41 of the said Act is further amended by adding the following as subsection 7:—

Rev. Stat.
c. 292, s. 41,
amended.

(7) The Minister may grant a permit to the Superintendent of Rondeau Provincial Park to take game animals or birds within the Park at any time for the purpose of thinning or for stocking or scientific purposes.

Supt. of
Rondeau
Provincial
Park.

21. Section 43 of the said Act is amended by adding the following as subsection 6:—

Rev. Stat.
c. 292, s. 43,
amended.

(6) The Minister may issue permits, not inconsistent with any law of the Dominion of Canada, authorizing the exportation from the Province or the transportation within the Province at any time of any game whether alive or dead.

Export
permits.

22.—(1) Subsection 2 of section 45 of the said Act is amended by inserting the words "Deputy Minister or" before the word "Superintendent" in the fourth line.

Rev. Stat.
c. 292, s. 45,
subs. 2,
amended.

(2) Subsection 1 of section 47 of the said Act is repealed.

Rev. Stat.
c. 292, s. 47,
subs. 1,
repealed.

(3) Subsection 3 of section 47 of the said Act is amended by striking out the word "Superintendent" in the first line and substituting the words "Deputy Minister."

Rev. Stat.
c. 292, s. 47,
subs. 3,
amended.

(4) Subsection 5 of section 47 of the said Act is amended by striking out the word "Superintendent" in the second line and inserting the words "Deputy Minister" therefor.

Rev. Stat.
c. 292, s. 47,
subs. 5,
amended.

Rev. Stat.
c. 292, s. 48,
subs. 1,
cl. (a),
amended.

23.—(1) Clause (a) of subsection 1 of section 48 of the said Act is amended by striking out the words “not exceed \$50” in the last line and substituting therefor “be \$25.”

Rev. Stat.
c. 292, s. 48,
amended.

(2) Subsection 1 of section 48 of the said Act is further amended by adding the following clause:—

(e) A resident of Ontario to hunt and trap fur-bearing animals, and the fee for such license shall be \$5.

Rev. Stat.
c. 292, s. 48,
subs. 2,
amended.

(3) Subsection 2 of section 48 of the said Act is amended by inserting the words “Deputy Minister or” before the word “Superintendent” in the fifth line.

Rev. Stat.
c. 292, s. 49,
cl. (a),
amended.

24. Clause (a) of section 49 of the said Act is amended by striking out the figures “\$25” in the last line and by adding the following words:—“in cities having a population of not less than 100,000, \$15; in cities having a population of not less than 50,000, \$10; and in municipalities under 50,000, \$5.”

Rev. Stat.
c. 292, s. 52,
amended.

25. Section 52 of the said Act is amended by inserting the words “or Overseer” after the word “warden” in the sixth line.

Rev. Stat.
c. 292, s. 54,
cl. (a),
amended.

26.—(1) Clause (a) of section 54 of the said Act is amended by striking out the word “Branch” in the second line and substituting the word “Department.”

Rev. Stat.
c. 292, s. 54,
cl. (b),
amended.

(2) Clause (b) of section 54 of the said Act is amended by inserting the words “Deputy Minister” before the word “Superintendent” in the first line.

Rev. Stat.
c. 292, s. 55,
and 4
Geo. V.,
c. 46, s. 9,
repealed.

27. Section 55 of the said Act, and section 55a of the said Act, as enacted by section 9 of *The Ontario Game and Fisheries Amendment Act, 1914*, are repealed and the following substituted therefor:—

Deputy
Minister.

55.—(1) There shall be a Deputy Minister of Game and Fisheries who shall be appointed by the Lieutenant-Governor in Council and shall perform such duties as may be assigned to him by the Lieutenant-Governor in Council or by the Minister, and in the absence of the Minister or in case of a vacancy in the office of Minister he shall preside over the Department and shall discharge the duties of the Minister. 4 Geo. V., c. 46.

- (2) The Deputy Minister shall, before entering upon ^{Oath.} his duties, take and subscribe an oath to faithfully perform the same, which shall be administered by the Minister or by some person appointed by the Lieutenant-Governor in Council for that purpose.

- (3) For the purposes of *The Public Service Act*, the Game and Fisheries Branch shall be deemed a Department and the Deputy Minister shall have and perform the like powers and duties as are conferred or imposed upon a Deputy Minister ^{Game and Fisheries Branch to be a Department within the meaning. Rev. Stat. c. 14.} by that or any other Act in like cases.

- 55a. There shall be a Superintendent of Game and Fisheries who shall perform such duties as may ^{Duties of Superintendent.} be imposed upon him by the regulations or by the Minister.

28. Section 59 of the said Act is amended by inserting ^{Rev. Stat. c. 292, s. 59, amended.} the words "Deputy Minister" before the word "Superintendent" in the first line.

29. Subsection 1 of section 60 of the said Act is ^{Rev. Stat. c. 292, s. 60, subs. 1, amended.} amended by striking out the word "Superintendent" in the second line and substituting the words "Deputy Minister" therefor.

30.—(1) Subsection 1 of section 61 of the said Act is ^{Rev. Stat. c. 292, s. 61, subs. 1, amended.} amended by striking out the word "Superintendent" in the second line and substituting the words "Deputy Minister" therefor.

(2) Subsection 11 of section 61 of the said Act is ^{Rev. Stat. c. 292, s. 61, subs. 11, amended.} amended by inserting the words "Deputy Minister" before the word "Superintendent" in the second line.

31. Subsection 1 of section 62 of the said Act is ^{Rev. Stat. c. 292, s. 62, subs. 1, amended.} amended by striking out the word "Superintendent" in the second line and substituting therefor the words "Deputy Minister."

32.—(1) Subsection 1 of section 65 of the said Act is ^{Rev. Stat. c. 292, s. 65, subs. 1, repealed.} repealed and the following substituted therefor:—

Any person who commits any offence against the provisions of this Act in respect of fish or fishing ^{Penalty for violation of fisheries regulations.} or any licensed fisherman who violates the con-

ditions

ditions of his license shall for each offence incur a penalty of not less than \$5 and not more than \$300.

Rev. Stat.
c. 292, s. 65,
amended.

(2) Section 65 of the said Act is further amended by adding the following as clause (a):—

Penalties as
to deer, etc.

(a) Any person who commits any offence against this Act in respect of deer, moose, reindeer, caribou, beaver or otter shall for each offence incur a penalty of not less than \$20 nor more than \$100."

Rev. Stat.
c. 292, s. 65,
amended.

(3) Section 65 is further amended by adding the following as clause (b):—

Penalties.

" Any person who commits any offence against this Act other than those specified above shall for each offence incur a penalty of not less than \$5 nor more than \$50."

CHAPTER 61.

An Act to amend The Wolf Bounty Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of *The Wolf Bounty Act* is amended by striking out clause (c). Rev. Stat.
c. 264, s. 2,
amended.

2. Section 4 of the said Act is amended by striking out the figures "\$15" where they occur in the fourth line thereof and substituting therefor the figures "\$5," and by adding at the end thereof "and \$10 additional if such wolf is a grey timber wolf." Rev. Stat.
c. 264, s. 4,
amended.
Amount of
bounty.

3. Section 5 of the said Act is amended by striking out of the third and fourth lines the words "the sum of \$6 on every bounty of \$15," and by substituting in lieu thereof the words "forty per cent. of the sum." Rev. Stat.
c. 264, s. 5,
amended.
Amount to
be recouped
by prov-
ince.

4. Subsection 3 of section 6 of the said Act is amended by striking out the words "the sum of \$15" where they occur in the sixth line thereof and by adding at the end of said subsection the words "the sum of \$5, and \$10 additional if such wolf is a grey timber wolf." Rev. Stat.
c. 264, s. 6,
subs. 3,
amended.
Provisional
judicial
districts.

CHAPTER 62.

An Act respecting the Compulsory School Attendance of Adolescents.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

1. This Act may be cited as *The Adolescent School Attendance Act*.

Interpretation.

2. In this Act,—

"Adolescent."

(a) "Adolescent" shall mean a person of either sex who is not more than seventeen years of age, and who is exempted from school attendance under *The Truancy Act*;

Rev. Stat. c. 274.

"Board."

(b) "Board" shall mean and include a board of education, an urban board of Public School Trustees, and an urban board of Separate School Trustees.

Powers of board respecting classes for adolescents.

3.—(1) A board may pass by-laws requiring the attendance of adolescents who are the children of the public or the separate school supporters, as the case may be, at day or night classes or schools to be provided or arranged for by the board or at some other classes or school in the municipality; but a by-law passed by a board of education shall apply only to children of public school supporters.

Special meeting for consideration of by-laws.

(2) Every such by-law shall be passed at a special meeting of the board called for the purpose of considering the same after public notice of the meeting and of the object thereof has been given at least once a week for four weeks in some newspaper published in the municipality, or if there is no such newspaper, in a daily newspaper published in the Province which has a circulation in the municipality.

Exemptions from attendance.

4. No adolescent shall be compellable to attend classes established under this Act if he

(a)

- (a) Is declared exempt by by-law under this Act; or
- (b) Has been granted special exemption by the board or committee having the control or management of the classes which he should otherwise attend; or
- (c) Is unable through sickness, infirmity or physical defect to attend such classes; or,
- (d) Has obtained a senior public school diploma or the equivalent thereof.

5. Subject to the regulations of the Department of Education by-laws may provide for Provisions of by-laws.

- (a) The fixing of the age of attendance and the compulsory attendance at schools or classes to be provided or arranged for by the board or at some other school or classes in the municipality of every adolescent who is not otherwise receiving a suitable education or who is not exempt by the by-law; Compulsory attendance.
- (b) The maintenance of courses of study under teachers with qualifications approved by the Minister of Education; Courses of study,—providing instructors.
- (c) The fixing of the terms and the number of hours in each day and in each week for the compulsory attendance required under the by-law; Fixing times of compulsory attendance.
- (d) Exemption from part or full time attendance at a day or night school under conditions satisfactory to the board. Exemptions.

6. The subjects of the courses of study for adolescents shall be selected from those prescribed by the Department of Education for the Public and the Separate Schools; the High Schools; the Art, Industrial, and Technical Schools and Classes; and the Commercial High Schools and the Commercial Departments of the High Schools. Limitations as to courses of study.

7.—(1) Subject to the regulations of the Department of Education courses for adolescents in the Public and Separate Schools respectively, shall be provided by and shall be under the control of the boards of said schools, and those in the High Schools shall be provided by and shall be under the control of the boards of said schools. Control of courses of study.

(2) (a) Where schools or classes have been established under section 4 of *The Industrial Education Act*, the courses of study for adolescents engaged in trades or in industrial or manufacturing occupations, shall be provided by and shall be under the control of the advisory industrial committee. Schools and classes advisory industrial committee. Rev. Stat. c 276.

(b)

Requiring high school board to establish.
Rev. Stat. c. 276.

(b) In a city, town, or village, in which there is a high school, and in which schools or classes have not been established under section 4 of *The Industrial Education Act*, a board which has decided to make such provision for adolescents, may request the board of high school trustees to establish such schools or classes, and in the event of the refusal or neglect of the high school trustees to comply with such request, the council of the municipality, upon the requisition of the board, shall submit to the municipal electors, at the next ensuing general municipal election, in the manner provided by *The Municipal Act*, the question of the establishment of such schools or classes, and if the majority of the electors voting upon such question, signify their approval of the establishment of such schools or classes, the same shall be established in accordance with the provisions of *The Industrial Education Act*.

Rev. Stat. c. 192.

Rev. Stat. c. 276.

When to be prepared by advisory commercial committee.

(3) In a municipality where there is a commercial high school or a commercial department in a high school, the courses for adolescents engaged in commercial occupations shall be provided by and shall be under the control of the advisory commercial committee. 2 Geo. V, c. 77, s. 5.

(4) The courses for adolescents shall be subject to such inspection as the Minister may prescribe.

Fees may be remitted.

8. Where fees are charged for any of the classes attended by adolescents, such fees may be remitted in their case by the school board or the advisory committee concerned if in its judgment such remission is necessary.

When by-law to come into force.

9. Every by-law passed under this Act shall come into force at the expiration of thirty days from the passing thereof.

Notice by employer of adolescents.

10. Where a by-law passed under this Act is in force every person who has in his employment any adolescent to whom the by-law applies shall give notice to the board of such employment at such times as the by-law may require, and shall state in such notice the hours during which the adolescent is employed by him.

Offences—

11.—(1) Every person who

(a) Fails to give the notice required by section 10; or,

(b) Knowingly employs an adolescent at any time during which his attendance is by the by-law required at classes of instruction; or,

(c)

(c) Employs such adolescent for such a number of hours as with the number of hours during which the adolescent is required to attend such classes will exceed in any day or week the number of hours during which such adolescent may be lawfully so employed; or,

(d) Being a parent or guardian of an adolescent has by wilful default or neglect suffered or permitted the employment of the adolescent in violation of any by-law passed under this Act, or suffers or permits such adolescent through want of proper care and control to violate any by-law requiring his attendance at such classes

shall incur a penalty not exceeding \$5 for the first offence and in the case of a second or subsequent offence in relation to the same adolescent or another adolescent shall incur a penalty not exceeding \$25. Penalty.

(2) The penalties imposed by this section shall be recoverable under *The Ontario Summary Convictions Act*. Recovery of
Rev. Stat.
c. 90.

12. For the purpose of enforcing any by-law passed under this Act the truant officer appointed under *The Truancy Act* shall have the powers and shall perform the duties conferred and imposed upon him by that Act. Powers
and duties
of truant
officers.
Rev. Stat.
c. 274.

13. No penalty shall be imposed in respect to the absence of an adolescent from any school or from any classes established under this Act on a day regarded as a holy day by the church or religious denomination to which such adolescent belongs. Absence on
holy days
excused.

14. *The Adolescent School Attendance Act*, Chapter 275 of The Revised Statutes of Ontario, 1914, is repealed. Rev. Stat.
c. 275
repealed.

CHAPTER 63.

An Act to amend The University Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 279, s. 32,
amended.

1. Section 32 of *The University Act* is amended by adding thereto the following clause:—

Borrowing
by board
from bank
or lender.

(u) borrow from time to time from any bank or lender on such terms as may be agreed on such sums of money as may be required for the purposes of the University and University College.

Limits of
amount.

(i) The total sum to be so borrowed and remaining unpaid at any one time shall not exceed \$250,000.

Lender not
required
to inquire
as to neces-
sity for
loan.

(ii) A bank or lender shall not be bound to inquire as to the necessity for borrowing, but where any loan is made, it shall be deemed to have been lawfully made under the authority of this section.

Act retro-
active.

2. This Act shall take effect as from the 14th day of May, 1906.

CHAPTER 64.

An Act to amend The Hospitals for the Insane Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection b of section 2 of *The Hospitals for the Insane Act* is amended by inserting after the word “persons” in the second line thereof, the words “and alcoholic and drug habituates.” Rev. Stat. c. 295, s. 2, cl. (b), amended.

2. *The Hospitals for the Insane Act* is amended by adding thereto the following sections:— Rev. Stat. c. 295, amended.

ADMISSION OF ALCOHOLIC HABITUATES.

50. The Superintendent of the Hospital may receive and detain therein as a patient, any alcoholic habituate for care and treatment who voluntarily makes written application in Form 9 provided that at the time of his admission he is capable of appreciating the fact that he is to be admitted as a voluntary patient. Voluntary patients, how admitted.

51. Such alcoholic habituate may be detained in the Hospital for a period of one year, and no longer, and it shall be a condition of his admission to the Hospital that he shall remain therein such length of time, not exceeding one year, as, in the opinion of the Superintendent is required; and before admission is awarded he shall sign a pledge agreeing and consenting to such specified condition, and to faithfully conform himself to all the rules and regulations of the Hospital while an inmate of the same. Time of detention in hospital.

52. The Superintendent shall have full authority to discharge at any time from the Hospital any person Authority of Superintendent to discharge patients.

person who has been awarded admission to it by his own voluntary application for the following causes, viz. :—

- (1) That such person is cured.
- (2) That such person is incurable and incapable of being benefited by the treatment and discipline of the said Hospital.
- (3) That such person who, being able to pay for maintenance and support therein, or that any other person who has become security for maintenance and support has failed to pay therefor.
- (4) Such person who has been guilty of vicious conduct prejudicial to the good order and discipline of the Hospital.

Commit-
ment of
habitué
drunkards.

53. On petition verified by oath, presented to a Judge-in-Chambers of the county or district court of the county or district in which the alleged alcoholic habitué resides, or to a Magistrate of such county, by any relatives, whether by blood or affinity, or, if he has no relatives in Ontario by any friend of the alleged alcoholic habitué or by the family medical attendant setting forth that the alleged habitué is a bona fide resident of Ontario, and is so given over to drunkenness as to render him unable to control himself, and is incapable of managing his affairs, or that by reason of such drunkenness he either squanders or mismanages his property, or places his family in danger or distress, or transacts his business prejudicially to the interest of his family or his creditors, or that he uses intoxicating liquors to such an extent as to render him dangerous to himself or others, or incurs the danger of ruining his health and shortening his life thereby, and praying that a hearing and examination of the matters and allegations set forth in the petition may be had, the Judge or Magistrate shall direct that a copy of the petition shall forthwith be served upon the alleged alcoholic habitué, and with such copy there shall be served an appointment signed by the Judge or Magistrate, appointing a time and place for the hearing of the matters and allegations contained in the petition, and such service shall be at least eight clear days before the time fixed for the hearing.

54. The Judge or Magistrate shall attend at the time and place named in the appointment, and then and there proceed to inquire into the matters and allegations set forth in the petition, but he may in his discretion adjourn the enquiry from time to time. Hearing the petition.
55. The Judge or Magistrate shall have the same powers as to summoning witnesses, enforcing their attendances and the production of documents as in proceedings in the county or district court, and each party may retain counsel to conduct the proceedings and to examine witnesses. Powers of Judge or Magistrate.
- 56.—(1) If the Judge or Magistrate, upon such inquiry finds the person petitioned against to be an alcoholic habituate, and so given over to drunkenness as to render him unable to control himself and incapable of managing his affairs, or that on that account he squanders or mismanages his property; or places his family in danger or distress, or transacts his business prejudicially to the interest of his family or his creditors; or that he uses intoxicating liquors to such an extent as to render him dangerous to himself or others; or incurs the danger of ruining his health or shortening his life, the Judge or Magistrate shall forthwith report the fact to the Inspector of Prisons and Public Charities and with the report shall transmit the evidence taken accompanied by a written statement of the result of his inquiries as to the financial condition of such alcoholic habituate, and the person or persons legally liable for his maintenance and giving the present address of such alcoholic habituate and the name and address of the person in whose custody he is, and the names and addresses of such persons (if any) dependent upon him for support. Order for admission and detention.
- (2) For the purposes aforesaid, the Judge or Magistrate shall hear such evidence upon oath and may require that some person or persons who is or are acquainted with his family and previous habits may be had and for the purpose of ascertaining whether the said alcoholic habituate is possessed of any and what property, and where the same is situated, and also as to the number of persons, if any, dependent upon him for support. Hearing of evidence, inquiring among friends.

Inspector of Prisons and Public Charities may direct removal to hospital.

57.—(1) Upon the receipt of the report and evidence the Inspector of Prisons and Public Charities may by warrant direct the removal of the alcoholic habituate to an hospital to be placed under treatment and detained therein for a period not exceeding two years; nevertheless, the Inspector of Prisons and Public Charities may, upon the report of the Superintendent, at any time order discharge of the person so committed for any of the causes specified in subsections 1, 2 and 4 of section 53 of this Act.

Proceedings pending removal to an hospital.

(2) The Judge or Magistrate may by his order, Form 3, direct that such alcoholic habituate be confined in some safe and comfortable place, or such other custody as the Judge or Magistrate deems fit until such time as he may be removed to an hospital, but in no case shall such alcoholic habituate be committed to any gaol, lock-up, prison or reformatory.

Costs of proceedings and maintenance of patients.

58. Sections 21, 26, and sections 32 to 35 both inclusive of this Act shall apply *mutatis mutandis* to alcoholic habituates.

Drug habituates.

59. All the provisions of this Act relating to alcoholic habituates shall extend *mutatis mutandis* to every person who is a drug habituate.

FORM 9.

(Section 50).

FORM OF APPLICATION FOR THE ADMISSION OF A VOLUNTARY PATIENT
TO THE HOSPITAL FOR THE INSANE AT

I, _____ of the _____
 of _____ in the County of _____
 being _____ request the Superintendent of the Hospital
 for the Insane at _____ to admit me as a Volun-
 tary Patient, and I hereby pledge myself to remain in the said
 Hospital at _____ for a period, not exceeding one year,
 which the said Superintendent may deem necessary to effect a
 permanent cure in my case; and I further pledge myself to submit
 to the rules and regulations of the said Hospital now in force
 or which may hereinafter be enacted and to carry out or assist
 in carrying out all the directions which the said Superintendent
 may give for my treatment, and also to conduct myself in such a
 manner as not to be guilty of any conduct prejudicial to the good
 order and discipline of the said Hospital.

Signed this _____ day of _____, A.D. 191_____,
 at _____ in the County of _____, in the
 presence of _____

I hereby testify that the above-named person
 is as stated in the above application a _____ and
 that he is a reasonably hopeful subject for treatment with a view
 to effecting a cure of his malady.

M.D.

Dated at _____, A.D. 191_____. .

CHAPTER 65.

An Act to confirm certain By-laws of the Town of Aurora.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Municipal Corporation of the Town of Aurora has by petition represented that it has passed Local Improvement By-laws Numbers 414, 415, 416, and consolidating By-law Number 418 more particularly referred to in Schedule "A" hereto, and has constructed the works provided for in such By-laws; and whereas doubts have arisen as to the validity of the said By-laws on account of certain errors therein, and in the proceedings in connection therewith, and in particular on account of said By-law Number 414 providing that the Corporation shall bear one-half of the cost of the work done thereunder, amounting to \$1,918.25, as its portion of the cost of the work; and whereas the said Corporation has also represented that it has passed By-law No. 398 hereinafter referred to after the same had been submitted to and approved of by the duly qualified electors; and whereas the Corporation has prayed that an Act may be passed to confirm and validate the said by-laws, and the debentures issued or to be issued thereunder; and whereas it is expedient to grant the prayer of the petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Confirma-
tion of
certain
by-laws.

1. By-laws Numbers 414, 415, 416, and 418, of the Town of Aurora, particulars of which are set out in Schedule "A" hereto, and all assessments made, and to be made thereunder, and the debentures issued or to be issued under said By-law Number 418, are confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Aurora and the ratepayers thereof.

By-law
No. 398,
amended
and con-
firmed.

2. By-law Number 398 of the Town of Aurora, intituled "A By-law to raise the sum of \$8,000, \$3,000 of which to be applied in payment of the balance due on electric pumps for water-works, and for the installation of same.

and

and \$5,000 to be applied on balance due for the installation of electric lighting system," is hereby amended by substituting the figures "1935" instead of the figures "1936" wherever they occur in the said by-law, and the said By-law Number 398 as so amended and all assessments made and to be made thereunder, and the debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Aurora and the ratepayers thereof.

SCHEDULE "A."

No. of By-law passed	When passed	Nature of work.	Amount of Debt.	Term of Debt.	Rate of Interest.
414	August 2nd, 1915.	Extension of water-works system on certain streets as a local improvement	\$3,836 50	10 years	5½%
415	August 2nd, 1915.	To construct cement sidewalks on certain streets as a local improvement	1,573 60	10 years	5½%
416	August 2nd, 1915.	To construct drains on certain streets as a local improvement	4,157 60	10 years	5½%
418	November 1st, 1915.	To consolidate the sums authorized to be borrowed under said By-laws Nos. 414, 415 and 416	9,567 70	10 years	5½%

CHAPTER 66.

An Act respecting the Town of Bowmanville.

Assented to 27th April, 1916.

Preamble.

WHEREAS, the Corporation of the Town of Bowmanville has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas the said Corporation on the fourteenth day of July, 1912, duly passed its By-law Number 801 to provide for the issue of debentures for the sum of \$111,000 for the construction of waterworks in and for the said town, after the same had been submitted to and approved by the electors of said town; and whereas the said Corporation on the said fourteenth day of July, 1912, duly passed its By-law Number 802 to provide for the issue of debentures for the sum of \$39,000 for the construction of main sewers and sewage disposal works, after the same had been submitted to and approved by the electors of said town; and whereas the Council of said Corporation under the authority of said by-laws entered upon the construction of said work; and whereas the said Corporation was authorized by the Act passed in the fourth year of the reign of His Majesty King George the Fifth, Chaptered 60, to borrow a further sum of \$35,000 for the completion of said works; and whereas such last mentioned sum has by reason of unforeseen circumstances not proved sufficient to complete said works, and it will require a further sum of \$7,752.32 to complete said system of waterworks, and the sum of \$1,231.97 to complete said system of sewerage; and whereas the said Corporation has prayed that it be authorized to raise a further sum of \$9,000 for such purposes; and whereas the said Corporation has further represented that in the construction of lateral sewers on the Local Improvement Plan the owners of lands abutting on the streets on which said sewers have been constructed have been charged with 75 per cent. of the cost of said sewers, and that to meet same a special levy has been made against said property owners of five cents a running foot of their respective holdings, payable annually for thirty years, and has prayed for power to levy a similar rate on the owners of properties abutting on the line of the main sewers to assist in paying an equitable share of the cost

of

of said sewers; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said Corporation may provide by by-law to be passed without obtaining the assent thereto of the electors of the said town, for the borrowing, upon an issue of debentures bearing interest at such rate as the council may determine, and payable in thirty (30) years from the date thereof, of a sum not exceeding \$9,000 to provide for the completion of a system of waterworks and sewerage in said town now in the course of construction.

Power to borrow \$9,000 for completion of waterworks and sewerage systems.

2. All debentures so to be issued under the authority of by-law and substantially complying with the provisions of the said by-law under which the same are issued, shall be legal, valid and binding upon the said Corporation and the ratepayers thereof, and it shall not be necessary for the purchaser of any of the said debentures to inquire into the validity of the by-law under the authority of which the same are issued.

Confirmation of debentures.

3.—(1) The said Corporation may provide by by-law to be passed without obtaining the assent thereto of the electors of the said town, and without obtaining the consent of The Ontario Railway and Municipal Board, for levying upon the lands abutting on the streets on which the main sewers have been constructed in said Town of Bowmanville, being on Liberty Street in said town from Carlisle Avenue southward on said Liberty Street to and across the base line, and on to the present position of the disposal works, and from the junction of Liberty and Ontario Streets in said town northward on said Ontario Street to Queen Street, and thence westerly on said Queen Street to Scugog Street, and thence northerly on said Scugog Street to the junction of Wellington Street, a rate of five cents per running foot of the holdings of owners of said lands so abutting, payable yearly for twenty-eight years, commencing with the year 1916.

Special annual rate of 5 cents per foot on property abutting on line of main sewers.

(2) Any money raised by the special rate authorized by subsection 1 shall be applied solely in the reduction of the general rate levied for the purpose of paying any debentures of the town issued or to be issued for the construction of the said main sewers.

4. In determining the amount which each lot shall bear on the line of said sewers, section 24 and sections 31 to 39 inclusive of *The Local Improvement Act* shall apply.

Application of certain provisions of Rev. Stat. c. 193.

CHAPTER 67.

An Act respecting the Town of Burlington.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Municipal Corporation of the Town of Burlington has by petition represented that by By-law No. 42 duly passed by the Village of Burlington in the year 1914, the said Village of Burlington was empowered to make its assessment for the year 1915 within the period commencing with the 15th day of September and ending with the 15th day of November in the said year 1914; and whereas in accordance with the said by-law the said assessment of the said village was taken in the said year; and whereas by order of the Railway Board for the Province of Ontario, dated the 10th day of June, 1914, certain lands were annexed to the said village, the annexation of the said lands taking effect from and after the 1st day of January, 1915; and whereas the said village became an incorporated town on the said 1st day of January, 1915; and whereas the said town did assess the said annexed district in March, 1915, for the said year, 1915; and whereas by order of the Appellate Division of the Supreme Court of Ontario, dated the 17th day of November, 1915, it was adjudged and declared that the said annexed district be and the same did become part and parcel of the said Town of Burlington on the 1st day of January, 1915, and that the said town did not have the necessary machinery provided by the Statutes of Ontario to assess the said annexed district, the assessment of the previous year having been adopted and closed; and whereas the said annexed district, as part of the said Town of Burlington, has enjoyed all the rights, benefits and privileges accruing to the said town as such since the 1st day of January, 1915; and whereas the said corporation has prayed that the said assessment should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The assessment made in March, 1915, and adopted by the Municipal Council on the 25th day of May, 1915, and finally ratified by His Honour, Judge Elliott, of the County of Halton, on the 17th day of June, 1915, at a Court of Revision, is hereby reduced by twenty per cent., and as so reduced is declared to be valid and proper assessment for the said annexed district for the year 1915. Confirmation of assessment.

2. Taxes at the rates levied in 1915 and computed on the said assessment of March, 1915, after the twenty per cent. reduction provided for by section 1 shall be collectable and paid in the same manner and at the same time as the first instalment of taxes for 1916. Collection of taxes.

3. No irregularity in the said assessment shall render the same invalid or illegal or shall be allowed as a cause of action or defence to any action brought by the corporation. Irregularity in assessment not to invalidate.

4. The costs of the plaintiff in the action of Bell vs. The Corporation of the Town of Burlington, which are hereby fixed at \$300, shall be borne and paid by the said corporation to the said plaintiff. Costs

CHAPTER 68.

An Act to confirm By-law No. 72 of the Township of Chapleau.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Corporation of the Township of Chapleau has by its petition represented that on the 17th day of January, 1916, the council of the said corporation passed By-law No. 72 authorizing the issue of debentures for the sum of \$17,300, payable in twenty years next after the time that the same are issued for the purpose of paying the floating indebtedness of the said township, amounting to \$17,300, which was incurred from various causes, including loss and discount on the collection of taxes, reduction in revenue from municipal water works and over expenditure on sidewalks, streets, roads and bridges, and in building and maintenance of the town hall, fire hall and lock-up. A large portion of the said debt was contracted for works of a permanent nature; that doubts have arisen as to the power of the council to borrow money by the issue of debentures to pay the floating debt incurred for the reasons above stated or some of them and as to the validity of the said by-law and of the rates imposed thereby; that by reason of the doubts as to the validity of the said By-law No. 72, the corporation fear they will be unable to sell the debentures thereby authorized to be issued and are unable to pay off the said floating debt without levying a sufficient rate for that purpose in the year 1916, and the council of the said corporation are of the opinion that it would be inequitable and unduly oppressive upon the ratepayers to levy a rate sufficient for that purpose in one year; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By law No. 72 of the Corporation of the Township of Chapleau, set out as Schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof; the rates imposed by and to be levied under the said by-law for the payment of debentures issued by the said by-law and the interest thereon are also confirmed and declared to be valid and binding upon the Corporation of the Township of Chapleau and the ratepayers thereof.

By-law
No. 72 of
the Town-
ship of
Chapleau
confirmed.

2. All debentures issued or to be issued or purporting to be issued under the said By-law No. 72 or any of them are confirmed and declared to be valid and binding upon the Corporation of the Township of Chapleau, and it shall not be necessary for the purchasers of such debentures to enquire into the validity of the proceedings relating to the issue of the same or to see to the application of the purchase money therefor.

Debentures
confirmed.

SCHEDULE "A."

TOWNSHIP OF CHAPLEAU.

By-Law No. 72.

A By-law to provide for borrowing \$17,300 upon debentures to pay a floating debt of the Township of Chapleau.

Whereas the Township of Chapleau has during the years 1908 to 1914 contracted a floating debt of \$17,300.00 from various causes, including loss and discount on the collection of taxes, reduction in revenue from the municipal waterworks, and over-expenditure on sidewalks, streets, roads and bridges and in building and maintenance of the town hall, fire hall and lock-up; a large portion of the said debt being contracted for works of a permanent character;

And whereas it would be unduly oppressive upon the ratepayers to pay off the said debt out of the revenue for the current year and it is expedient to extend the payment thereof over a term of twenty years;

And whereas it will be necessary to borrow the said sum of \$17,300.00 on the credit of the corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years, of such amounts respectively that the aggregate amount payable for principal and interest in respect of the debt in each year, shall be as nearly as possible the same;

And whereas it will be necessary to raise annually the sum of \$1,508.29 during the period of twenty years to pay the said yearly sums of principal and interest as they become due;

And whereas the amount of the whole rateable property of the municipality, according to the last revised assessment roll is \$630,598.00;

And whereas the amount of the existing debenture debt of the corporation (exclusive of local improvement debts secured by special rates or assessments) is \$74,271.65 and no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Township of Chapleau enacts as follows:—

1. For the purpose aforesaid there shall be borrowed on the credit of the corporation at large the sum of seventeen thousand, three hundred dollars (\$17,300.00) and debentures shall be issued therefor in sums of not less than \$100 each, bearing interest at the rate of six per centum per annum payable yearly and having coupons attached for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of

principal

principal and interest payable in each of such years shall be as follows:—

No.	Principal.	Interest.	Total.
1	\$470 29	\$1,038 00	\$1,508 29
2	498 52	1,009 77	1,508 29
3	528 42	979 87	1,508 29
4	560 13	948 16	1,508 29
5	593 73	914 56	1,508 29
6	629 36	878 93	1,508 29
7	667 13	841 16	1,508 29
8	707 14	801 15	1,508 29
9	749 58	758 71	1,508 29
10	794 55	713 74	1,508 29
11	842 23	666 06	1,508 29
12	892 75	615 54	1,508 29
13	946 33	561 96	1,508 29
14	1,003 09	505 20	1,508 29
15	1,063 28	445 01	1,508 29
16	1,127 08	381 21	1,508 29
17	1,194 70	313 59	1,508 29
18	1,266 39	241 90	1,508 29
19	1,342 38	165 91	1,508 29
20	1,422 92	85 37	1,508 29

3. The debentures, as to both principal and interest, may be expressed in Canadian currency, or in gold coin of The United States of America of its present standard of weight and fineness, or sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-thirds cents, and may be payable at any place or places in Canada, Great Britain or the United States of America.

4. The reeve of the corporation shall sign and issue the debentures and interest coupons and the same shall also be signed by the treasurer of the corporation and the debentures shall be sealed with the seal of the corporation. The signatures to the coupons may be lithographed or engraved.

5. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

6. During twenty years, the currency of the said debentures, the sum of \$1,508.29 shall be raised annually for the payment of the debt and the interest thereon by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates.

7. This by-law shall take effect upon the same being confirmed by an Act of the Legislature of the Province of Ontario.

Passed this 17th day of January, 1916.

T. J. GODFREY,
Reeve.

(Seal)

W. A. McMITCHELL,
Clerk.

CHAPTER 69.

An Act to confirm By-law No. 589, of the Village of Eganville.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Municipal Corporation of the Village of Eganville has by petition represented that it has passed By-law No. 589 to raise \$5,000, which by-law is fully set out in Schedule "A" hereto; and whereas doubts have arisen as to the validity of the said by-law on account of same having been passed to provide for payment of overdrafts and debts due by the said village; and whereas the said overdrafts and debts were incurred and contracted in connection with the building of granolithic sidewalks and other works and improvements of a permanent and necessary character; and whereas it is impossible to set out in detail the amounts incurred for each work and which created the said overdraft, and it is desirable that said by-law and the debentures issued or to be issued under same should be confirmed; and whereas the said corporation has prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law
No. 589
confirmed.

1. By-law No. 589 of the Municipal Corporation of the Village of Eganville set out in Schedule "A" hereto and all debentures issued or to be issued thereunder and all assessments made or to be made and all rates levied or to be levied for payment thereof are validated and confirmed.

SCHEDULE "A."

BY-LAW No. 589.

A By-law to Raise the Sum of Five Thousand Dollars for the purposes hereinafter mentioned.

Whereas it is necessary to provide for the payments of the overdrafts and debts due by the Corporation of the Village of Eganville;

And whereas the council of the said village has deemed it advisable to raise by way of loan, the sum of five thousand dollars, being said overdraft and debts, and to extend the payment thereof over a period of twenty years instead of striking a rate for the year of 1915, sufficient to provide for the payment of said overdraft and debts in taxes to be collected for the said year of 1915;

And whereas for the said purpose it is necessary for the Corporation of the Village of Eganville to issue debentures for the said sum of five thousand dollars as hereinafter set forth, and to provide for the payment of the same and the interest thereon, at five per cent. per annum;

And whereas it will be necessary to raise by special rate on all the rateable property in the Municipality of the Village of Eganville for the payment of the said debt created by this by-law the sum of four hundred and one dollars and twenty-one cents (\$401.21), to be raised yearly and in each year for a period of twenty years, for paying the said sum of five thousand dollars and interest on the debentures to be issued therefor, and which said sum will be sufficient to discharge the several instalments of principal and interest as the same respectively become payable under the terms of this by-law;

And whereas the whole rateable property of the said Village of Eganville, according to the last revised assessment roll (being for the year 1914), is \$331,766.00;

And whereas the amount of the existing debenture debt of the said Village of Eganville is \$14,900.56, exclusive of local improvement debts secured by special rates and assessments and of public school debentures of \$24,729.85, of which no part of the principal or interest is in arrears;

Therefore the Council of the Corporation of the Village of Eganville enacts as follows:—

1. That for the purpose aforesaid it shall be lawful for the reeve of the said corporation, and he is hereby authorized and empowered to cause debentures of the said Corporation of the Village of Eganville to be made, executed and issued to the amount of \$5,000.00 in sums of \$401.21 each, which said sums represent and are the portions of principal and interest required to be paid annually for a period of twenty years to pay the said sum of \$5,000.00 together with the interest thereon, and such debentures shall be signed by the said reeve of the said corporation for the time being, and the treasurer for the time being of the said corporation, and such debentures shall be sealed with the corporate seal thereof.

2. That it shall be lawful for the said reeve to raise by way of loan from any person or persons, body or bodies corporate who may be willing to advance the same upon the credit of the said debentures, a sum of money not exceeding the sum of five thousand dollars aforesaid, and to cause same to be paid into the hands of the treasurer of the said corporation of the said Village of Eganville for the purposes and with the objects above recited.

3. That the said sum of four hundred and one dollars and twenty-cents shall be raised each year during the currency of the said debt created by this by-law, and shall be levied and collected in each and every year upon all the rateable property of the said corporation of the Village of Eganville by special rate sufficient for that purpose, and in addition to all other rates during the currency of the said debentures or any of them.

4. That the debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed, and may bear any date within such two years, and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

No.	Principal.	Interest.	Total.
1	\$151 21	\$250 00	\$401 21
2	158 77	242 44	401 21
3	166 71	234 50	401 21
4	175 05	226 16	401 21
5	183 80	217 41	401 21
6	192 99	208 22	401 21
7	202 64	198 57	401 21
8	212 77	188 44	401 21
9	223 41	177 80	401 21
10	234 58	166 63	401 21
11	246 31	154 90	401 21
12	258 62	142 59	401 21
13	271 55	129 66	401 21
14	285 13	116 08	401 21
15	299 39	101 82	401 21
16	314 36	86 85	401 21
17	330 07	71 14	401 21
18	346 58	54 63	401 21
19	363 91	37 30	401 21
20	392 11	9 10	401 21

5. That the said debentures shall be payable at the agency of the Merchants' Bank of Canada, Eganville.

6. That the said debentures shall be payable in twenty years from the date of issue of the same.

7. That this by-law shall take effect and come into operation on the twenty-sixth day of August, 1914.

8. That the votes of such of the electors of the said Village of Eganville who are by law entitled to vote thereon shall be taken on this by-law on the tenth day of August, 1914, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day at the clerk's office in the Town Hall in the said Village of Eganville.

9. That a tenant who desires to vote must deliver to the clerk not later than the tenth day before the day appointed for taking the vote the declaration provided for by subsection 3 of section 265 of *The Act Respecting Municipal Institutions*, R.S.O., chap. 192.

10. That on Saturday, the eighth day of August, A.D. 1914, at the hour of eleven o'clock in the forenoon, at the clerk's office in the Town Hall, in the said Village of Eganville, shall be the time and place at which and when persons will be appointed by the reeve to attend at said polling place and at the final summing up of the votes by the clerk of the said corporation on behalf of the persons interested in or opposing the passage of the by-law respectively.

11. That this by-law will be finally considered in council on Wednesday, the twenty-sixth day of August, A.D. 1914.

NOTICE.

Take notice that the above is a true copy of a proposed by-law which has been taken into consideration by the Municipal Council of the Corporation of the Village of Eganville, and which in the event of the assent of the electors of the said village being obtained thereto will be finally considered in council and passed by the said municipal council on Wednesday, the twenty-sixth day of August, 1914. The first publication of the said by-law is in the Eganville *Leader* newspaper on Friday, the twenty-fourth day of July, 1914, and take notice that the votes of the qualified electors of the said municipality will be taken thereon on Monday, the tenth day of August, 1914, commencing at nine o'clock in the forenoon and closing at five o'clock in the afternoon of the same day and at the hour, day and place named in the preceding by-law for taking the votes of the electors, the poll will be held.

Passed in council this 26th day of August, 1914.

Eganville, July 20th, 1914.

M. D. O'REILLY,
Reeve.

(Seal.)

J. P. BULGER,
Clerk.

CHAPTER 70.

An Act to incorporate the Village of Erie Beach.

Assented to 27th April, 1916.

Preamble.

WHEREAS W. D. Sheldon, of the City of Chatham, Gentleman, and others, have by their petition represented that the lands hereinafter described are suitable for summer residences and are becoming greatly in demand for such purposes; and whereas it has been made to appear that it is necessary to spend a very large amount of money in laying out and improving the said lands and in providing water, light, drainage, pavements, etc., and in sheet piling or otherwise protecting the banks of Lake Erie, upon which said lands border, from the encroachment of the water of the lake; and that the construction of all of such works will be facilitated by incorporating the inhabitants of such land as a village; and whereas it has been made to appear that upon said lands there have already been built a large number of summer homes as well as a restaurant, amusement pavilion and bath houses; and whereas it appears that the petition has been signed by a large majority of the whole number of ratepayers in the said territory; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation.

1. The inhabitants of the lands described in section 2 are hereby constituted a corporation or body politic under the name of "The Corporation of the Village of Erie Beach," separate and apart from the Township of Harwich.

Land included in village.

2. The said Village of Erie Beach shall comprise and consist of all that part of the said Township of Harwich, described as follows: All those parts of lots numbers three, four and five in the fourth concession of the Township of Harwich, in the County of Kent, lying west of the Gore line, as shown on a plan duly registered in the Registry Office for the registry division of the County of Kent as Plan No. 358, which

which said part of said lots may be better known and described as follows: Commencing on the north-easterly limit of the town line between the Townships of Harwich and Raleigh at the water's edge of Lake Erie, thence north-westerly along said north-easterly limit of said town line a distance of one hundred and sixty (160') feet more or less to a point on said north-easterly limit of said town line at a distance of one hundred and ninety-six (196') feet measured south-easterly along same from the limit between the north-west and south-east halves of said lot number five; thence north eighty-five (85) degrees and two (2) minutes east a distance of eight hundred and ten feet; thence north four (4) degrees and fifty-eight (58) minutes west a distance of four hundred and eighty-eight (488) feet; thence north eighty-five (85) degrees and four and one-half ($4\frac{1}{2}$) minutes east a distance of one thousand three hundred and fifty-seven (1,357) feet; thence north eighty-nine degrees and forty-two (42) minutes east a distance of four hundred and eleven (411) feet and six (6) inches more or less to the limit between the north-west and south-east halves of said lot number four; thence south thirty degrees and thirty-two (32) minutes west along said limit between the north-west and south-east halves of said lot four a distance of ninety-seven (97) feet; thence north eighty-nine (89) degrees and three (3) minutes east a distance of one thousand one hundred and ninety-six (1,196) feet and three (3) inches more or less to the limit between said lots numbers three and four; thence south eighty-eight (88) degrees and forty-six (46) minutes east a distance of one thousand one hundred and eighty-two (1,182) feet and four (4) inches more or less to the limit between the north-west and south-east halves of said lot number three; thence north thirty (30) degrees and thirty-two (32) minutes east along said limit between the north-west and south-east halves of said lot number three a distance of three hundred and fifty-nine (359) feet; thence south fifty-nine (59) degrees and twenty-eight (28) minutes east a distance of nine hundred and eighty-six (986) feet more or less to the north-westerly limit of the road along the south-easterly limit of said lot number three; thence south thirty (30) degrees and thirty-two (32) minutes west along said north-westerly limit of said road a distance of three hundred and eighty-six (386) feet more or less to the water's edge of Lake Erie; thence westerly following the water's edge of Lake Erie a distance of five thousand six hundred (5,600) feet more or less to the place of beginning.

3.—(1) The council of the village shall consist of a reeve and two councillors. William M. Drader shall be the first reeve and George Maynell and Charles E. Lister shall be the first councillors of the said village.

Council—
now com-
posed.

(2)

Term of
office of
reeve.

(2) The first reeve shall hold office for the remainder of the year 1916 and until his successor is appointed or elected and has taken the declaration of office.

Councillors.

(3) The first councillors shall hold office until the 31st day of December, 1916, and until their successors have been appointed or elected and have taken the declarations of office.

Vacancies.

(4) In case a vacancy occurs from any cause prior to the 31st day of December, 1916, in the office of reeve or councillor, the council shall forthwith appoint a person to fill the vacancy, and he shall hold office for the remainder of the term for which his predecessor was appointed.

No repre-
sentation in
county
council.

4. The village shall not be entitled to be represented in the council of the county.

Assess-
ment for
1917.

5. The council of the said village may pass a by-law for taking the assessment of the said village for the year 1917, between the 1st day of July and the 1st day of October, 1916, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the 1st day of November, 1916, then the time for closing the court of revision shall be three weeks from the day to which such time is extended and the final return by the judge four weeks from that day.

Land de-
tached from
Township of
Harwich.

6. The land comprised in the said village is hereby detached from the Township of Harwich and the village shall form a separate and independent municipality.

Application
of Rev. Stat
c. 192.

7.—(1) Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to villages shall apply to the said village to the same extent as if the said village had been incorporated under the provisions of *The Municipal Act* except that it shall not be necessary for a person to reside within the said village or within two miles thereof in order to be qualified to be elected a member of the Council.

Adjustment
of assets
and lia-
bilities.

(2) The provisions of *The Municipal Act* as to the adjustment of assets and liabilities and as to matters consequent on the formation of new corporations shall apply as if the said land had been erected into a village under the provisions of that Act.

Expenses of
Act.

8. The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds and any matters whatsoever required by the clerk or other officer

officer of the said village, or otherwise, shall be borne by the said village and paid by it to any person who may be entitled thereto.

9. It shall be lawful for the council to appoint one person to fill the offices of clerk and treasurer in the said village, and another person to fill the offices of assessor, collector and medical health inspector. Same person may fill various offices.

10. It shall not be necessary for the council to appoint any local board of health for the said village, but the reeve and councillors of the said village shall form the local board of health for the said village, and shall have all the powers given to local boards of health. Appointment of local board of health unnecessary.

11. The said village shall remain a part of the existing school section, and shall not be separated therefrom until such time as a by-law shall be passed by the council for the establishment of an urban school board. School section not affected.

12. Notwithstanding anything in this Act contained the Township of Harwich shall continue to have full power and authority to levy, collect and retain and use for its own purposes all taxes properly levied or assessed against any of the lands herein described down to and including taxes for the year 1916, as fully and effectually as if this Act had not been passed. Collection of arrears of taxes.

13. In case the Municipal Corporation of the Township of Harwich shall provide by by-law for the opening up of a public highway along the northerly limit of the lands hereby incorporated in the Village of Erie Beach from the Bisnett side road to connect with the road now running from the town line between the Townships of Harwich and Raleigh to Towanda Boulevard (as shown on the plan referred to in section 2 thereof), said new highway to be also connected by an extension or branch highway with said Towanda Boulevard at the easterly end of said boulevard as shown on said plan, the land for said public highway (with the exception of said extension or branch) shall be taken wholly from the farm lands lying immediately to the north of said Village of Erie Beach. The cost of constructing said highway and branch or extension thereof shall be borne and paid in equal shares by the Township of Harwich and the Village of Erie Beach, and the land therefor shall be acquired and the construction of said highway carried on and completed under the supervision of the councils of said township and village or their proper officials duly authorized for that purpose. Construction of highway north of village.

CHAPTER 71.

An Act respecting the City of Galt.

Assented to 27th April, 1916.

Preamble

WHEREAS the Corporation of the City of Galt has by Petition represented that the Water Commissioners of the City have represented to the said council that the water mains in the said city are in many cases laid along properties, the owners of which do not take water or pay anything to the revenue of the water works or the sinking funds or interest on the debentures issued by the municipality therefor, although such properties are increased in value thereby, and that in consequence thereof the general water rates are higher than they otherwise would be, and that there is now no effective way of charging any unpaid special rates against the properties benefited by mains, and have requested the council to obtain legislation to authorize the Water Commissioners to levy and collect the rate upon all properties fronting on streets, lanes and alleys along which water mains are laid, and to provide that all special rates shall be a lien on all properties served with mains and with the right of distress and sale of said lands as in the case of taxes in arrear and unpaid, and the said council request that such legislation be granted; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Levy of
special
frontage
rate.

1. Subject to Section 2 the Water Commissioners of the City of Galt shall have power by by-law to be passed by them to levy and charge a special rate upon the several lands, lots or parts of lots, whether occupied or vacant, fronting or abutting upon all streets, lanes and alleys in the said municipality upon which water mains from which the Commis-

sioners.

sioners are willing to supply water are laid, which special rate shall be an annual rate according to the frontage of the said lands, lots or parts of lots, which rate shall not exceed five cents per foot for such frontage, subject to the same discount for prompt payment as shall be allowed in respect of ordinary water rates for domestic use, and may, by by-law of the Water Commissioners, be changed from time to time as the commissioners may determine; and that the said commissioners may provide an equitable mode of assessing corner lots, triangular and other irregularly shaped pieces of land or lands unfit for building purposes where the commissioners deem it inequitable to assess the full frontage thereof, or to assess at as high a rate as other land fronting on any street; provided that upon the production by the owner or occupant using water of the receipt for the payment of the sum, rate or rent chargeable for the use thereof, or such proportion of such sum or rate or rent as shall equal such special rate for the same period, the commissioners shall remit or allow to such owner or occupant the amount so paid as a payment on account of the special rate authorized by this section; and provided, also, that if the sum, rate or rent paid by the owner or occupant for the use of water, as shown by the receipt therefor, shall for the same period be greater than or equal to the said special rate, the commissioners shall remit to such owner or occupant the amount of said special rate.

2. The By-law for the said special rate shall not be finally passed by the commissioners until it has been submitted to and received the approval of the majority of all the members of the Municipal Council of the said City at a regular meeting thereof.

Approval
of council
to by-law.

3. The said Water Commissioners, by by-law to be passed by them, shall also have power to employ such person as they think proper to make the measurements of frontages for the purposes hereof, in cases where the frontages of the lands, lots or parts of lots have not, in the judgment of the commissioners, been properly set out in the city assessment roll, and to fix the compensation of the said person.

Employ-
ment of
person to
measure
frontages.

4. The said special rate shall be payable at the time or times during each year, fixed by the Water Commissioners for payment thereof, and until paid shall be a lien and charge upon the lands, tenements, lots or parts of lots against which the same are charged or assessed, and arrears of such special rates may, with interest thereon at the rate of ten per cent. per annum from the time of default in payment be collected

Time of
payment
of special
rate.

Rev. Stat.
c. 195.

in the same manner and by the same officials and by the same process as arrears of taxes are collectable under the provisions of *The Assessment Act*, and all rates and rents that may be received by the City Treasurer or other officer of the said city under the above provisions shall be paid over to the said Water Commissioners.

CHAPTER 72.

An Act to Confirm By-law No. 291, of the
Village of Grimsby.*Assented to 27th April, 1916.*

WHEREAS the Corporation of the Village of Grimsby Preamble.
has by petition represented that certain expenditures were necessarily incurred by said corporation during the years 1909, 1910, and 1911, over and above the estimates adopted by the council of said corporation, and on which the tax rates were struck, being the sums of \$5,354.83 due to the Corporation of the County of Lincoln and the sum of \$4,000.00 paid to the Cataract Power Company in settlement of an action brought by said company against the Municipal Corporation of the Village of Grimsby, and that said sums are still owing and unpaid; and that it would be unduly oppressive to the ratepayers of the said Village of Grimsby to pay these and all outstanding liabilities of the said Village of Grimsby at one time in addition to the meeting of the necessary annual expenses of the corporation, and therefore said council on 26th November, 1912, passed By-law Number 291 to provide for the issue of \$8,000.00 of debentures for the purpose of paying said debts; and by their petition the said corporation have asked that said by-law be confirmed and validated; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law Number 291 of the Corporation of the Village of Grimsby, set out in Schedule "A" to this Act, being a by-law to provide for the issue of debentures of the Village of Grimsby for the sum of \$8,000.00 required by the said village, is hereby confirmed and declared legal, valid and binding upon the said Municipal Corporation of the said Village of Grimsby and the ratepayers thereof. By-law
No. 291
confirmed.

Confirma-
tion of
debentures.

2. All debentures to be issued under said by-law when so issued are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and it shall not be necessary for the purchaser of any of the said debentures to inquire into the proceedings relating to the passing of the said by-law or to the issue of such debentures.

SCHEDULE "A."

By-law No. 291 of the Village of Grimsby, being a By-law to Provide for the Issue of Debentures of the Village of Grimsby for the sum of eight thousand (\$8,000) dollars required by the said Village of Grimsby.

Whereas during the years 1909, 1910 and 1911, the Municipal Council of the Village of Grimsby allowed the amounts due in each of the said years to the Municipal Corporation of the County of Lincoln, to remain unpaid and expended the moneys levied for this purpose for the current expenditure of the Village of Grimsby;

And whereas the whole amount now due to the Corporation of the County of Lincoln and in arrears as aforesaid amounts with interest to the sum of \$5,354.83;

And whereas during the year of 1911 the Council of the Village of Grimsby did settle an action for moneys due brought by the Cataract Power Company for the sum of \$4,000;

And whereas in addition to the above mentioned sums there were other liabilities of the said Village of Grimsby outstanding for the payment of which sums the Council of the Village of Grimsby did not levy sufficient moneys;

And whereas it would be unduly oppressive to the ratepayers of the said Village of Grimsby, to pay all the outstanding liabilities of the said village at one time in addition to the meeting of the necessary annual expenses of the corporation;

And whereas the council of the village deem it expedient to issue debentures for the sum of \$8,000 to provide moneys for the payment of the amounts as above mentioned;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of ten years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest shall be as nearly as possible equal to the amount payable in each of the other nine years of the said period as shown by Schedule "A" hereunto annexed;

And whereas the total amount required by the municipality to be raised annually by special rate for the paying of the said debt and interest as hereinafter provided is \$1,086.94;

And whereas the amount of the whole rateable property of the Village of Grimsby, according to the last revised assessment roll, is \$843,370.00;

And whereas the amount of the existing debenture debt of the said municipality, exclusive of local improvements, is \$86,527.53, of which no part, either principal or interest, is in arrears;

Now

Now therefore the Municipal Corporation of the Village of Grimsby enacts as follows:—

1. The Municipal Corporation of the Village of Grimsby shall issue debentures of the said village to the amount of \$8,000 as aforesaid, in sums of not less than \$100 each, on the date of the confirmation of this by-law by the Legislative Assembly of the Province of Ontario, which debentures shall each be dated on the day of the issue thereof and shall be payable within ten years thereafter on the date of the issue thereof, in each of the years in the amount shown on the said Schedule "A" at Grimsby, Ontario.

SCHEDULE "A."

No. of Debenture.	Principal.	Interest.	Amount.
1	\$606 94	\$480 00	\$1,086 94
2	643 36	443 58	1,086 94
3	681 96	404 98	1,086 94
4	722 88	364 06	1,086 94
5	766 25	320 69	1,086 94
6	812 23	274 71	1,086 94
7	860 96	225 98	1,086 94
8	912 62	174 32	1,086 94
9	967 38	119 56	1,086 94
10	1,025 42	61 52	1,086 94
	\$8,000 00	\$2,869 40	\$10,869 40

2. Each of the said debentures shall be signed by the reeve of the said Village of Grimsby, or by some other person authorized by by-law to sign same, and by the treasurer thereof, and the village clerk shall attach thereto the corporate seal of the said municipality.

3. The said debentures shall bear interest at the rate of six per cent. per annum, payable yearly at the Bank of Hamilton on the date of the issue thereof in each and every year during the currency thereof.

4. There shall be raised annually by special rate on all the rateable property in the said Village of Grimsby the sum of \$1,086.94 for the purpose of paying the amount due in each year of the said ten years for principal and interest in respect of the said debt as shown on Schedule "A" hereunto annexed.

5. This by-law shall not come into force unless and until it is confirmed and validated by an Act of the Legislative Assembly of the Province of Ontario and on the said Legislative Assembly passing such an Act which shall confirm and validate this by-law. This by-law shall come into force on the date it receives the assent of the Lieutenant-Governor of the Province of Ontario.

6. The votes of the qualified electors of the said Village of Grimsby shall be taken on this by-law pursuant to the provisions of the statutes in that behalf, on Monday, the 6th day of January, 1913, from 9 o'clock in the forenoon to 5 o'clock in the afternoon, at the following places: For Division No. 1, at the office of the Grimsby Chopping Mills, on the west side of Ontario St., in the said Village of Grimsby; for Division No. 2, at the fire hall, on the north side of Main St., in the Village of Grimsby; and for Division No. 3, at the office of D. E. Swayze, on the south side of Main St., in the said Village of Grimsby. The following persons shall be Deputy Returning Officers and Poll Clerks for taking votes at the said polling places: For Division No. 1, W. F. Clarke, Deputy Returning Officer, and H. H. Farrell, Poll Clerk; for Division No. 2, P. Falconbridge, Deputy Returning Officer, and Thos. Stephen, Poll Clerk; for Division No. 3, G. E. Alexander, Deputy Returning Officer, and K. N. Grout, Poll Clerk.

7. That on Thursday, the 2nd day of January, 1913, at 12 o'clock noon, shall be the day and hour, and the Council Chambers, in the Fire Hall, in the said Village of Grimsby, the place where the reeve shall attend to appoint persons to attend at the various places and at the final summing up of the votes by the clerk on behalf of the persons interested in promoting or opposing the passing of this by-law.

8. That Wednesday, the 8th day of January, 1913, at 10 o'clock in the forenoon, shall be the day and hour, and Council Chambers, in the Fire Hall, in the Village of Grimsby, the place where the clerk shall sum up the number of votes given for and against this by-law.

Read a first and second time in open council on the 26th day of November, A.D. 1912.

Passed in council this 20th day of January, 1913.

E. S. JOHNSON, *Reeve*.
JAMES BRODIE, *Clerk*.

(Seal.)

CHAPTER 73.

An Act to authorize the Corporation of the City of Guelph to levy an assessment during the year 1916 for the Canadian Patriotic Fund.

Assented to 27th April, 1916.

WHEREAS the Corporation of the City of Guelph ^{Preamble} through the council thereof and through the Guelph Junction Railway Company and the Guelph Radial Railway Company, has granted to the Canadian Patriotic Fund during the year 1916 the sum of \$25,250.00 and has incurred a liability of approximately \$4,000.00 for premiums for insurance on the lives for the benefit of dependants of officers and men resident of the municipality who during the present war are on active service with the naval and military forces of the British Empire, and anticipate an expenditure of about \$6,750.00 during the year 1916 for the purpose of granting further aid to the various funds mentioned in section 1 of chapter 37 of 5 George V, which said sums together make a total of \$36,000.00; and whereas it is deemed expedient that the said sum of \$36,000.00 should be levied in the taxes in the said City of Guelph for the current year in addition to all other necessary and proper rates to be levied for the purposes of the said corporation; and whereas by chapter 53 of 1 Edward VII, of the Statutes of the Province of Ontario, it is provided that it shall not be lawful for the Council of the Municipal Corporation of the City of Guelph to assess, levy or collect in any one year on the whole rateable property, a rate higher than fifteen mills on the dollar of the assessed value thereof, exclusive of school and local improvement rates; and whereas in order to assess, levy and collect the said sum of \$36,000.00 during the year 1916 it will be necessary to impose a rate not exceeding four mills on the dollar in excess of the said rate of fifteen mills hereinbefore mentioned; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to
levy rate
of four
mills for
patriotic
purposes.

1. Notwithstanding anything contained in section 11 of chapter 53 of the Act passed in the first year of the reign of His late Majesty King Edward the Seventh, it shall be lawful for the Council of the Corporation of the City of Guelph during the year 1916 to assess, levy and collect on the whole rateable property within the said City of Guelph a rate not exceeding four mills on the dollar of the assessed value thereof for the purpose of raising the said sum of \$36,000.00.

Property
on which
rate to be
levied.

2. The said rate shall be assessed, levied and collected upon the whole rateable property in the said City of Guelph, in the same manner as other rates are assessed, levied and collected in the said City of Guelph, and except as to the exemptions from taxation set out in section 5 of *The Assessment Act*, no partial or total exemption from assessment or taxation and no fixed assessment or other special provision or agreement shall apply to the assessment and collection of such rate, anything in any general or special Act or in any by-law or resolution of the said City of Guelph or in any contract or other instrument to the contrary notwithstanding.

CHAPTER 74.

An Act respecting the Town of Ingersoll.

Assented to 27th April, 1916.

WHEREAS the Corporation of the Town of Ingersoll Preamble. by its petition has represented that Daniel Welcome Carroll, deceased, made his last will and testament, probate whereof was granted to Elizabeth Jane Carroll, his widow, and John L. Paterson, of the said Town of Ingersoll, Solicitor, whereby, after providing for his wife, the said Elizabeth Jane Carroll, for life, he directed the said John L. Paterson, after the death of the testator's wife, to hand over to the Town of Ingersoll for a public park, to be known as Carroll's Park, certain lands in the said Town of Ingersoll in his said will described, and by his said will directed the said John L. Paterson to convey to the Town of Ingersoll his residence, and the land in connection therewith, on King Street, in the said Town of Ingersoll, for the purpose of a Protestant Hospital for Sick Children, and that the rest of his estate should be converted into cash to form a fund which, together with the interest thereon, should be used for the maintenance of the said hospital, and that the Mayor of the said Town of Ingersoll for the time being should act with the said John L. Paterson in the sale of the said property; that it is expedient that the provisions so made by the said will of the said Daniel Welcome Carroll should be declared to be legal and valid, and that the Corporation of the Town of Ingersoll is entitled to accept and receive the devises and bequests made to the said Town of Ingersoll by the said will; that it is expedient that the lands and premises so directed to be conveyed to the said Town of Ingersoll for a public park, which are in an unsuitable position for a public park, should be sold, and the proceeds thereof applied in the purchase of other lands in a more central portion of the Town of Ingersoll, to be used as a public park; that the building upon the lands in the said Town of Ingersoll directed by the said will to be conveyed to the said Town of Ingersoll for the purpose of a Protestant Hospital for Sick Children is very old and unsuitable for the purposes of a hospital, and that, as there is one hospital in the said Town of Ingersoll, and
the

the revenue from the estate of the said Daniel Welcome Carroll would not be sufficient to maintain a hospital in the said building, the Corporation of the Town of Ingersoll should not be required to maintain another hospital, and it would be in the interests of the Corporation of the Town of Ingersoll and a practical carrying out of the intention of the testator, if the lands so directed by the said will to be conveyed to the said Town of Ingersoll were sold and the proceeds thereof paid to the said corporation to be by the said corporation applied in the erection of a wing or addition to the Alexandra Hospital building in Ingersoll for sick children, or the erection upon the lands of the Alexandra Hospital, Ingersoll, of a pavilion for sick children; and that it is expedient to authorize and direct the said executor, when the residue of the estate of the said Daniel Welcome Carroll has been converted into cash, to pay the same over to the said corporation to be held by the said corporation in trust to pay thereout the balance (if any) of the cost of the erection of the said wing or pavilion, and to invest the residue or balance from time to time, and to pay over the net annual income thereof to the directors of the Alexandra Hospital, Ingersoll, to be applied from time to time by the directors of the said hospital solely for the maintenance of the said wing or pavilion so to be erected as aforesaid, and to authorize the directors of the Alexandra Hospital, Ingersoll, and the said corporation, to agree that the directors of the said The Alexandra Hospital, Ingersoll, will apply, from time to time, the said income for the purposes aforesaid; and whereas the said corporation has prayed that an Act may be passed for the above mentioned purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority
to accept
land under
will for
park.

1. The direction contained in the said will of the said Daniel Welcome Carroll to his surviving executor to hand over to the Town of Ingersoll, for a public park to be known as "Carroll's Park," the lands in the said Town of Ingersoll therein referred to, is legal and valid, and the Corporation of the Town of Ingersoll has power to accept the same.

Authority
to accept
certain
land for
purposes of
Protestant
Hospital
for Sick
Children.

2. The direction contained in the said will of the said Daniel Welcome Carroll to his surviving executor to convey to the Town of Ingersoll his residence and the land in connection therewith on King Street in the said Town of Ingersoll for the purpose of a Protestant Hospital for Sick Children, is legal and valid, and the Corporation of the Town of Ingersoll has power to accept the same.

3. The direction contained in the said will of the said Daniel Welcome Carroll that the rest of his estate be converted into cash to form a fund, which, together with the interest thereon, shall be used for the maintenance of the said hospital, and that the Mayor of the said Town of Ingersoll for the time being shall act with the surviving executor of the said Daniel Welcome Carroll in the sale of the said property, is legal and valid, and the Corporation of the Town of Ingersoll has power to accept the said residuary estate.

Authority to accept residuary estate for maintenance of hospital.

4. The Corporation of the Town of Ingersoll is hereby authorized and empowered to sell and convey the lands and premises mentioned in the first section of this Act, and with the proceeds of the sale thereof to purchase other lands in a more central portion of the said Town of Ingersoll for the purposes of a public park to be known as "Dr. Carroll's Park."

Authority to sell land devised for park purposes.

5. The surviving executor of the said will of the said Daniel Welcome Carroll, and the executor or trustee for the time being acting under the said will, are hereby authorized and empowered to sell and convey the lands referred to in the second section of this Act, and to pay over the net proceeds of such sale to the Corporation of the Town of Ingersoll to be by the said Corporation applied in payment of the cost of the erection of a wing or addition to the Alexandra Hospital building in the said Town of Ingersoll, for sick children, to be known as "The Dr. Carroll Wing for Sick Children," or the cost of the erection upon the lands of the said The Alexandra Hospital, Ingersoll, of a pavilion for sick children, to be known as "The Dr. Carroll Pavilion for Sick Children."

Authorized to sell land devised for hospital purposes and application of proceeds of sale.

6. The surviving executor of the said will of the said Daniel Welcome Carroll, and the executor or trustee for the time being acting under the said will, are hereby authorized and empowered, when the residue of the estate of the said Daniel Welcome Carroll has been converted into cash as provided for by the said will, to pay the same over to the Corporation of the Town of Ingersoll in trust to pay thereout the balance, if any, of the cost of the erection of the said wing or pavilion, and to invest the residue thereof from time to time, and to pay over the net annual income thereof to the directors of the Alexandra Hospital, Ingersoll, to be by the directors of the said hospital applied from time to time solely for the maintenance of the said wing or pavilion.

Payment over to town of proceeds of sale of residuary estate and investment of.

7. The Corporation of the Town of Ingersoll and the directors of the said The Alexandra Hospital, Ingersoll, are hereby authorized and empowered to enter into an agreement to provide that the income from the trust fund in section six of this Act referred to shall be applied for the purposes aforesaid, and for no other purpose.

Agreement between town and directors of hospital as to income from trust fund.

Payment of
costs.

8.—(1) The costs of all parties in the action of Carroll vs. Patterson and the Town of Ingersoll now pending in the Supreme Court of Ontario and the costs of all persons in connection with promoting or opposing the passing of this Act shall be fixed and determined by the Law Clerk of Private and Municipal Bills and as so fixed and determined shall be paid by the executor out of the estate of the late D. W. Carroll.

(2) Subsection 1 shall not affect the right of the executor of the said estate to his expenses and compensation as executor.

CHAPTER 75.

An Act to erect the Police Village of
Kingsdale.*Assented to 27th April, 1916.*

WHEREAS certain owners of land in the Township of **Preamble.**
York have by petition represented that they are the owners of certain lands in the Township of York in the County of York, and adjacent to the City of Toronto, which said lands have been subdivided into building lots, and subdivision plans showing the location of the lots, streets, avenues and boulevards have been made, and the survey of the same has been completed upon the ground, and the said plans have been passed by the proper authorities, and registered in the Registry Office for the County of York, and that a large number of building lots are now owned by various parties and many houses have been erected or in the course of erection thereon; and whereas Wrights Limited, a corporation having its head office in the City of Toronto, have, at their own expense, constructed and installed water-mains, sewers, sidewalks, streets and other public improvement works, in order to meet the convenience and requirements of the inhabitants of said lands; and whereas the said Company are desirous of turning over all these various improvement works fully completed and paid for; and whereas the interests of the inhabitants of said lands will be better served in so far as the operation and maintaining of the different utilities; in the expenditure of the income derived therefrom, as well as from the taxes and rates; better fire protection; the sanitary conditions better sustained; better railway facilities and cheaper rates secured, and the interests of the inhabitants of the said lands best served by erecting them into a Police Village; and whereas the said petitioners have prayed that an Act may be passed for that purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Erection
of police
village of
Kingsdale.

1. The following lands are hereby erected into a Police Village, under the name of "The Police Village of Kingsdale." and shall comprise and consist of all that part of the said Township of York described as follows, and being composed of a part of Lot 18 and all of Lot 17 in the first Concession east of Yonge Street in said Township and the south half of Lot 17 in the second Concession of the said Township, and that portion of the second Concession road lying east of Lot 17 in the first Concession in said Township, which said lands may be more particularly described as follows:— Commencing at the south-west angle of said Lot 17 in the First Concession east of Yonge Street in said Township; thence north 10 degrees 22 minutes west, along the westerly limit of said Lot 17 and part of Lot 18, to the northerly limit of Registered Plan 1790; thence north 10 degrees, 22 minutes west, along the westerly limit of said Lot 18, 167 feet 7 inches, to a fence running easterly, being the northerly limit of the property bought by Wrights Limited from one John B. McKenzie; thence north 79 degrees 42 minutes east, along said fence, 537 feet more or less to an angle in said fence; thence south 25 degrees 31 minutes east, along said fence, 75 feet more or less to an angle in said fence; thence north-easterly along said fence, about parallel to the northerly limit of said plan 1790, to the easterly limit of said Lot 18; thence southerly, along the easterly limit of said Lot 18 and part of Lot 17, to the intersection with the westerly production of the centre line of said Lot 17 (as fenced) in the Second Concession east of Yonge Street; thence easterly, across road allowance and along said fence for the northerly limit of south half of said Lot 17 in the said Second Concession to the easterly limit of said Lot 17 in the said Second Concession; thence southerly along the easterly limit of said Lot 17 in the said Second Concession, to the fence for the southerly limit of said Lot; thence westerly along the southerly limit of said Lot 17 (as fenced), and across said road allowance between First and Second Concession to the easterly limit of said Lot 17 in the First Concession; thence southerly along the easterly limit of said Lot 17 in the First Concession, to a fence for southerly limit of said Lot 17 in the First Concession; thence westerly along said fence for the southerly limit of said Lot 17 in the First Concession to the place of beginning.

Board of
Trustees.

2.—(1) There shall be a Board of Trustees for the said Police Village which shall be a body corporate and shall be styled "The Board of Trustees of the Police Village of Kingsdale."

First
members.

(2) The first members of the Board of Trustees shall be Roland C. Nelles, John B. McKenzie and R. A. Adamson,

who

who shall hold office until the 31st day of December, 1916, and until their successors have been appointed or elected and have taken the declaration of office.

(3) In case a vacancy occurs on the Board of Trustees from any cause, prior to the 31st day of December, 1916, the remaining members thereof shall forthwith appoint a person to fill the vacancy, and shall hold office for the remainder of the term for which his predecessor was appointed.

3. The said Board of Trustees shall have all the powers and perform all the duties of a Board of Trustees incorporated under the provisions of *The Municipal Act*, and in addition shall have the like power to pass by-laws as is conferred on the Council of a Village by *The Municipal Act* with respect to the following matters:—

Power of trustees.

- (a) Constructing, maintaining, improving, repairing, widening, altering, diverting and stopping up drains, sewers or water courses, providing an outlet for a sewer or establishing works or basins for the interception or purification of sewage; making all necessary connections therewith and acquiring land in or adjacent to the said Village for any of such purposes;
- (b) For establishing, protecting, regulating and cleaning public and private wells, reservoirs and other public and private conveniences for the supply of water, for prohibiting the fouling of the, or the wasting of the water, and for procuring an analysis of such water, and providing for the payment of the expense thereof and for making reasonable charges for the use of public water;
- (c) For the closing or filling up of public or private wells;
- (d) For compelling the use within the Village, or any defined area therein, for drinking and domestic purposes of water supplied from the water works of the Village, or of a water works company; and for prohibiting the use within the limits of the said Village, or such area, of spring or well water for such purposes.

4.—(1) Upon the application of the Trustees the Council of the Township of York shall submit for the assent of the electors of the said Village, and if it receives such assent, shall pass a by-law for borrowing money for any of the purposes mentioned in the next preceding section hereof and for the issue

Submission of by-law by Township of York.

issue of debentures of the Corporation of the said Township for the money borrowed, payable on the instalment plan, at such time within ten years, and in such manner as the Trustees may request.

Special
rate.

(2) The special rate for the payment of the principal and interest shall be imposed upon the rateable property in the Village.

Township
treasurer
to retain
moneys in
his hand.

(3) The money so borrowed shall be retained in the hands of the Treasurer of the Township, and he shall pay out of it the orders of the inspecting Trustee, or of any two Trustees, in payment for work actually performed, or of an executed contract, with respect to the work or service, for undertaking which the by-law was passed.

(4) When the by-law is passed, the Trustees may undertake the work or service.

Wrights
Limited
to carry
out agree-
ment to
construct
certain
works.

5. It is expressly provided that nothing herein contained shall in any way exempt Wrights Limited from completing all improvements undertaken by them in accordance with their various contracts of sale entered into with the different purchasers or owners of land in the said subdivisions, nor to release them from any obligation arising out of any such contract of sale; and nothing in this Act contained shall be construed to render the Trustees of said Village responsible for any such undertaking or obligation.

Expenses
of Act.

6. The expenses incurred in obtaining this Act may be included in the estimates of current expenditure, and paid as part thereof, upon the approval of the said Board of Trustees.

CHAPTER 76.

An Act respecting the City of Kingston.

Assented to 27th April, 1916.

WHEREAS The Corporation of the City of Kingston ^{Preamble.} by petition, has represented that by an Act passed in the sixth year of the reign of His late Majesty King Edward the Seventh, chaptered 75, it was provided that, "beginning with the year 1907, the aldermen of the Municipal Corporation of the City of Kingston who obtain the highest number of votes in each ward at the municipal elections, held in that year, shall hold office for three years and the aldermen who obtain the next highest number of votes in each ward shall hold office for two years; and the aldermen who obtain the third highest number of votes in each ward shall hold office for one year, and thereafter one alderman shall be elected for each ward annually to hold office for three years"; that beginning with the year 1907, the aldermen of the Corporation of the City of Kingston have been elected in the manner provided by said Act; that on the 3rd day of January, 1916, being the date for holding the municipal elections for said corporation, the following question was submitted to the electors: "Are you in favour of reducing the term of office of the aldermen of the council of the Corporation of the City of Kingston from three years to one year?"; that the result of the voting on the said question was 1,778 in favour of the question and 635 against it, the said question receiving the approval of the electors by a majority of 1,143; that the council of the said corporation on the 10th day of January, 1916, duly passed the following resolution: "That an application be made to the Legislative Assembly of the Province of Ontario at its next Session to repeal an Act entitled, *An Act respecting the City of Kingston*, being Chapter 75 of the Statutes of the Province of Ontario, passed in the Session held in the sixth year of the reign of His late Majesty King Edward VII"; that it is desirable and in the interest of the said corporation that the said Act should be repealed; and whereas the Corporation of the City of Kingston by said petition, has also represented that the Corporation has passed, under

section

section 49 of *The Local Improvement Act*, the by-laws set out in Schedules "A", "B", "C" and "D" hereto; and whereas doubts have been raised as to the validity of said by-laws and as to the assessments made thereunder and it is desirable that the said by-laws shall be confirmed; and whereas the said corporation has prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

6 Edw. VII
c. 76 re-
pealed.

1. Chapter 75 of the Acts passed in the sixth year of the reign of His late Majesty King Edward the Seventh, is repealed; Provided that the members of the Council of the Corporation of the City of Kingston elected under the provisions of the said Act shall hold office until the 31st day of December, 1916, and until their successors are elected and the new council is organized and no longer, and that from and after the date of the passing of this Act the provisions of *The Municipal Act* shall apply to the election of aldermen for the City of Kingston.

Confirma-
tion of cer-
tain by-laws.

2. The by-laws of the said corporation set out in Schedules "A", "B", "C" and "D" hereto excepting the words "or treated with tarvia" in the title to by-law No. 41, and all assessments made or to be made thereunder and all rates levied or to be levied for the payment thereof are validated and confirmed, and the said corporation is declared to have had power to pass, assess and levy the same.

Treatment
with
Tarvia.

3. The power to oil the streets given under By-law No. 33, 1914, set out in Schedule "A" hereto as amended by the By-laws set out in Schedules "B", "C", and "D" hereto, shall be deemed to have included the power to treat said streets with tarvia and any assessments or rates heretofore made or levied to meet the cost of treating with tarvia any of the streets mentioned in the said by-laws shall be deemed to have been made and levied in conformity with the said by-laws; but this section shall not authorize the corporation hereafter to treat any of the said streets with tarvia.

SCHEDULE "A."

BY-LAW No. 33, 1914.

A By-law to Define Certain Areas within the Municipality of the City of Kingston in which the Streets shall be Oiled.

Passed July 6th, 1914.

Be it enacted by the Council of the Corporation of the City of Kingston as follows:—

1. The streets in the said City of Kingston within the several areas hereinafter defined shall be oiled for the purposes of maintaining, repairing and cleaning the said streets, by the corporation of the said City of Kingston: to wit, the streets within the several areas formed by the city lots or properties fronting or abutting upon the streets or parts of streets in said city and the said streets and parts of streets as follows:—

(1) King Street, between Barrie Street and Centre Street.

(2) Princess Street, between Alfred Street and the city limits.

2. That a special rate of twenty cents per foot frontage be imposed or the actual cost and the same is hereby imposed annually upon all the assessable real property within the said several areas in the preceding section defined according to the frontage thereof in order to pay the expenses of oiling the said streets therein during every year this by-law is in force, and which rate shall be in addition to all other rates for which the said real property is or shall be liable, provided always that a sum equal to the said rate upon the frontage of all properties within said several areas, exempt by law from the said rate shall be borne and paid by the said corporation of the City of Kingston out of the general funds of the municipality; and provided also that the cost of oiling any of the said streets opposite any other intersecting street or streets shall be borne and paid by the said corporation of the City of Kingston out of the general funds of the municipality; provided further that corner lots shall be assessed for a frontage equal to twice the frontage of the shortest side.

3. That the assessment commissioner of the City of Kingston, with such assistant or assistants as may be necessary, do forthwith prepare and deliver to the city clerk a roll containing all the assessed real property within the said areas with the frontage thereof of the said streets and the names and roll numbers of the owners as they appear on the last revised assessment roll.

4. The city clerk shall place upon the collector's roll or rolls opposite the several names of the persons assessable, the amounts assessable against the several properties of said owners in respect of such special rate as shown in the roll in the previous section mentioned.

5. The said amounts shall be payable in each year to the collector of municipal taxes of the City of Kingston, who is hereby authorized to collect the said amounts at the same time, in the same manner and with the like remedies as ordinary taxes, upon real estate, are collectible under the provisions of *The Assessment Act*.

6. That the amounts collected from the said rate and contributed by the corporation as aforesaid shall be expended in paying the cost of oiling the said streets within the said areas and not otherwise.

7. This by-law shall remain in force from year to year until repealed.

8. This by-law shall come in force and take effect on its passing.

A. H. MUIR,
Acting City Clerk.

(Signed) A. SHAW,
Mayor. (L.S.)

SCHEDULE

SCHEDULE "B."

By-Law No. 23, 1915.

A By-law to amend By-law No. 33, 1914.

Passed April 26th, 1915.

Be it enacted by the Council of the Corporation of the City of Kingston as follows:—

1. Clause 2 of By-law No. 33, 1914, is amended by striking out the word "twenty" in the first line thereof and substituting the word "five," and by striking out the words "or the actual cost" in the second line thereof.

2. This by-law shall come in force and take effect on its passing.

(Signed) R. D. SUTHERLAND,
Mayor. (L.S.)

W. W. SANDS,
City Clerk.

SCHEDULE "C."

By-Law No. 31, 1915.

A By-law to amend By-law No. 33, 1914, entitled "A By-law to Define Certain Areas within the Municipality of the City of Kingston in which the Streets shall be Oiled."

Passed June 7th, 1915.

Be it enacted by the Council of the Corporation of the City of Kingston as follows:—

1. Section 1 of By-law No. 33, 1914, is amended by adding the following as subsection (3):—

"(3) The streets and parts of streets set out in the schedule hereto attached."

2. This by-law shall come in force and take effect on its passing

(Signed) R. D. SUTHERLAND,
Mayor. (L.S.)

W. W. SANDS,
City Clerk.

SCHEDULE.

King St.: Barrie St. to Ellerbeck St.
Division St.: Union St. to Queen St.
Queen St.: Division St. to Wellington St.
Wellington St.: Princess St. to Queen St.
Princess St.: Barrie St. to Alfred St.
Park Ave.: Barrie St. to West St.
Court St.: Barrie St. to West St.
Union St.: University Ave. to city limits.

SCHEDULE "D."

BY-LAW No. 41, 1915.

- A By-law to amend By-law No. 33, 1914, entitled "A By-law to Define Certain Areas within the Municipality of the City of Kingston in which the Streets shall be Oiled or Treated with Tarvia."

Passed September 15th, 1915.

Be it enacted by the Council of the Corporation of the City of Kingston as follows:—

1. Section 1 of By-law No. 33, 1914, is amended by adding the following as subsection (4):—

"(4) The streets and parts of streets set out in the schedule hereto attached."

2. This by-law shall come in force and take effect on its passing.

(Signed) R. D. SUTHERLAND,
Mayor. (L.S.)

W. W. SANDS,
City Clerk.

SCHEDULE.

Ontario St., from Market St. to west end of bridge.
Place d'Armes St., from Ontario St. to Wellington St.
Queen St., from Ontario St. easterly 130 feet.
Princess St., from King St. easterly to G.T.R. tracks.
Sydenham St., from Johnson St. to Brock St.

CHAPTER 77.

An Act respecting the City of London.

*Assented to 27th April, 1916.***Preamble.**

WHEREAS the Corporation of the City of London has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas to enable the said corporation more readily and profitably to dispose of the debentures, it is desirable that the by-law set out in Schedule "A" should be confirmed, the said by-law having been submitted to and approved of by the electors, and it is also desirable that the by-laws set out in Schedules "B" and "C" should be confirmed; and whereas the said corporation has asked for authority to issue debentures to the amount of \$316,600.00 to cover the cost of certain works and improvements of an urgent and necessary character; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law
No. 5181
confirmed.

1. The by-law of the Corporation of the City of London set out in Schedule "A" hereto, Numbered 5181, is confirmed and declared to be legal, valid and binding.

By-laws in
Schedules
"B" and "C"
confirmed.

2. The by-laws of the Corporation of the City of London set out in Schedules "B" and "C" hereto, Numbered 5140 and 4955, are confirmed and declared to be legal, valid and binding.

Power to
borrow
\$50,000 for
Public
Utilities
Commission
for towers,
poles, wires,
transform-
ers, etc.

3. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$50,000 for The Public Utilities Commission of the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to pay for towers, poles, wires, cables, services, transformers, meters,

devices

devices and other equipment for the electric light plant of the City of London.

4. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$35,000 for The Public Utilities Commission of the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to pay for supply and service mains and other extensions of the waterworks plant of the City of London, and for new water supply.

Power to borrow \$35,000 for supply and service mains for waterworks

5. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$3,000, and may issue debentures therefor for any period not exceeding ten years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, for the purpose of a grant to The 142nd Battalion for recruiting purposes.

Power to grant \$3,000 to 142nd Battalion.

6. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$170,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to pay for the construction of storm sewers and sewage disposal works in the said city.

Power to borrow \$170,000 for construction of storm sewers and sewage disposal works.

7. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$6,500, and may issue debentures therefor for any period not exceeding ten years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to pay for the erection of a stable for the horses owned by the corporation.

Power to borrow \$6,500 for horse stables.

8. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$39,000 for The London Railway Commission, and may issue debentures therefor for any period not exceeding forty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to pay for additional equipment, spare parts and line extensions.

Power to borrow \$39,000 for The London Railway Commission.

9. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$6,000, and may issue debentures therefor for any period not exceeding ten

Power to borrow \$6,000 for the Fire Department.

ten years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to pay for a motor tractor or motor ladder truck for the Fire Department of the city.

Power to borrow \$7,100, and to issue debentures therefor.

10. The Corporation of the City of London may pass a by-law to borrow, and may borrow the sum of \$7,100, and may issue debentures therefor for any period not exceeding five years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to pay to the Corporation of the County of Middlesex the indebtedness of the Corporation of the City of London to the Corporation of the County of Middlesex.

Assent of electors not required.

11. It shall not be necessary that any of the by-laws for the purposes mentioned in the next eight preceding sections shall be submitted to, or receive the assent of, the electors of the said city, but all the other provisions of *The Municipal Act*, which are applicable and which are not inconsistent with the provisions of this Act, shall apply to the said by-laws.

Rev. Stat. c. 192.

Irregularity in form of by-laws or debentures not to invalidate.

12. No irregularity in the form of any of the debentures issued under the authority of this Act, or of any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the Corporation of the City of London for the recovery of the amount thereof, or interest thereon, or any part thereof.

Moneys borrowed under By-law 5181 not to be reckoned as part of debt in ascertaining limit of borrowing powers.

13. In calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by *The City of London Act, 1906*, has been reached, any debentures issued under the authority of By-law No. 5181 to provide for the issue of \$101,000 debentures for The London Railway Commission, passed on the 7th day of February, A.D. 1916, set out in Schedule "B" hereto or under section eight of this Act shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same.

Authority to sell sewer farm lands.

14. The Council of the Corporation of the City of London may pass a by-law, or, from time to time, pass by-laws to authorize the sale or other disposition of such portions of the sewer farm lands vested in the corporation which are not required for sewer farm purposes, and may sell or otherwise dispose of the said lands at such prices and upon such terms as to the council of the said corporation may, from time to time, seem meet.

Short title.

15. This Act may be known and cited as *The City of London Act, 1916*.

SCHEDULE

SCHEDULE "A."

BY-LAW No. 5181.

To provide for the issue of \$101,000.00 debentures for The London Railway Commission.

Whereas it is expedient for The London Railway Commission to acquire lands and rights of way for car barns for the London and Port Stanley Railway; to pay for the purchase of pole rights, poles and guys; to pay for improvements to the said railway at the Village of Port Stanley and at Yarmouth Station; to pay for the construction and electrification of transfer tracks for the Michigan Central Railroad and the Grand Trunk Railway; to pay for team tracks, terminals and tracks and industrial tracks and sidings in the City of London; to pay for additional car equipment, and to pay for the construction of a terminal station in the said City of London, the cost of which has been estimated at \$101,000.00;

And whereas by an Act passed by the Legislature of the Province of Ontario in the sixth year of His late Majesty's reign; and chaptered 76, and known as *The City of London Act, 1906*, it is by section 22 thereof provided that the limit of the borrowing power of the said corporation shall, notwithstanding the provisions of any Act or law to the contrary, be fourteen per centum of the assessed value of the whole rateable property of the said City of London, as shown by the last revised assessment roll for the time being of the said city;

And whereas it is by section 23 of the said last mentioned Act provided that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by the next preceding section, has been reached, the net amount of its indebtedness for waterworks purposes being the sum of \$549,909.36, and any liability in respect of local improvement debentures issued by the said corporation, except such portion thereof as is payable by the said corporation at large, shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And whereas it is provided by section 9 of *The City of London Act, 1913*, that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by *The City of London Act, 1906*, has been reached, any debentures issued under the authority of the said section shall not be reckoned as part of such indebtedness but shall be excluded in computing the same;

And whereas the amount of the whole rateable property in the City of London, according to the last revised assessment roll thereof, is the sum of \$37,509,182.00;

And whereas the amount of the general debenture debt of the city, exclusive of its indebtedness for waterworks purposes, or the said sum of \$549,909.36, exclusive of its local improvement debenture debt, except such portion thereof as is payable by the said corporation at large, and exclusive of the debenture debt for \$700,000 authorized by section 9 of *The City of London Act, 1913*, and by by-law of the said City of London No. 4471, is the sum of \$4,732,505.91, of which no portion of the principal or interest is in arrear;

And whereas the said sum of \$101,000.00 is the debt intended to be created by this by-law;

And

And whereas it is desirable to issue the said debentures at one time, and to make the principal of the said debt repayable by yearly sums during the period of forty years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt, shall be as nearly as possible equal to the amount so payable in each of the other thirty-nine years of the said period;

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$6,294.34;

Be it therefore enacted by the Municipal Council of the Corporation of the City of London as follows:—

1. It shall be lawful for the mayor of the said city to raise by way of loan upon the security of the debentures hereinafter mentioned, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the credit of such debentures, a sum of money not exceeding in the whole the sum of \$101,000, and to cause the same to be paid into the hands of the Treasurer of The London Railway Commission for the purposes and with the objects above recited.

2. The said debentures shall, pursuant to the provisions of section 288 of *The Municipal Act*, be made payable as follows:—

\$739.34	thereof in one year from the thirtieth day of June,
	A.D. 1916.
\$780.00	thereof in two years from the thirtieth day of June,
	A.D. 1916.
\$822.90	thereof in three years from the thirtieth day of June,
	A.D. 1916.
\$868.18	thereof in four years from the thirtieth day of June,
	A.D. 1916.
\$915.92	thereof in five years from the thirtieth day of June,
	A.D. 1916.
\$966.30	thereof in six years from the thirtieth day of June,
	A.D. 1916.
\$1,019.44	thereof in seven years from the thirtieth day of June,
	A.D. 1916.
\$1,075.52	thereof in eight years from the thirtieth day of June,
	A.D. 1916.
\$1,134.68	thereof in nine years from the thirtieth day of June,
	A.D. 1916.
\$1,197.08	thereof in ten years from the thirtieth day of June,
	A.D. 1916.
\$1,262.92	thereof in eleven years from the thirtieth day of June,
	A.D. 1916.
\$1,332.38	thereof in twelve years from the thirtieth day of June,
	A.D. 1916.
\$1,405.66	thereof in thirteen years from the thirtieth day of June,
	A.D. 1916.
\$1,482.98	thereof in fourteen years from the thirtieth day of June,
	A.D. 1916.
\$1,564.54	thereof in fifteen years from the thirtieth day of June,
	A.D. 1916.
\$1,650.58	thereof in sixteen years from the thirtieth day of June,
	A.D. 1916.
\$1,741.36	thereof in seventeen years from the thirtieth day of June,
	A.D. 1916.
\$1,837.14	thereof in eighteen years from the thirtieth day of June,
	A.D. 1916.
\$1,938.18	thereof in nineteen years from the thirtieth day of June,
	A.D. 1916.
\$2,044.78	thereof in twenty years from the thirtieth day of June,
	A.D. 1916.

\$2,157.26

\$2,157.26 thereof in twenty-one years from the thirtieth day of June, A.D. 1916.
 \$2,275.90 thereof in twenty-two years from the thirtieth day of June, A.D. 1916.
 \$2,401.08 thereof in twenty-three years from the thirtieth day of June, A.D. 1916.
 \$2,533.14 thereof in twenty-four years from the thirtieth day of June, A.D. 1916.
 \$2,672.46 thereof in twenty-five years from the thirtieth day of June, A.D. 1916.
 \$2,819.44 thereof in twenty-six years from the thirtieth day of June, A.D. 1916.
 \$2,974.52 thereof in twenty-seven years from the thirtieth day of June, A.D. 1916.
 \$3,138.12 thereof in twenty-eight years from the thirtieth day of June, A.D. 1916.
 \$3,310.72 thereof in twenty-nine years from the thirtieth day of June, A.D. 1916.
 \$3,492.82 thereof in thirty years from the thirtieth day of June, A.D. 1916.
 \$3,684.92 thereof in thirty-one years from the thirtieth day of June, A.D. 1916.
 \$3,887.58 thereof in thirty-two years from the thirtieth day of June, A.D. 1916.
 \$4,101.40 thereof in thirty-three years from the thirtieth day of June, A.D. 1916.
 \$4,326.98 thereof in thirty-four years from the thirtieth day of June, A.D. 1916.
 \$4,564.96 thereof in thirty-five years from the thirtieth day of June, A.D. 1916.
 \$4,816.04 thereof in thirty-six years from the thirtieth day of June, A.D. 1916.
 \$5,080.94 thereof in thirty-seven years from the thirtieth day of June, A.D. 1916.
 \$5,360.38 thereof in thirty-eight years from the thirtieth day of June, A.D. 1916.
 \$5,655.22 thereof in thirty-nine years from the thirtieth day of June, A.D. 1916.
 \$5,966.24 thereof in forty years from the thirtieth day of June, A.D. 1916.

and all of the said debentures shall bear date the 30th day of June, A.D. 1916, and be made payable in Canada, Great Britain or elsewhere and shall have coupons attached for the payment of interest.

3. The said debentures shall bear interest at the rate of five and one-half per cent. per annum from the thirtieth day of June, A.D. 1916, which interest shall be payable half yearly on the thirtieth days of June and the thirty-first days of December in each year at the place where the said debentures are made payable.

4. During the currency of the debentures to be issued under the authority of this by-law, there shall be raised annually by a special rate on all the rateable property in the City of London, over and above all other rates and taxes, the sum of \$6,294.34 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

5. The said mayor and treasurer may cause the said debentures, or a sufficient amount thereof, to be sold or hypothecated, or may authorize the said debentures, or any portion thereof, to be purchased or taken as and for a temporary or permanent investment of the sinking fund of the City of London, and the proceeds thereof, after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be paid over to the London

Railway Commission for the purposes above specified and for no other purpose.

6. This by-law shall take effect on, from and after the passing thereof.

Passed in open council this 7th day of February, A.D. 1916.

H. A. STEVENSON, *Mayor*.

S. BAKER, *Clerk*.

SCHEDULE "B."

BY-LAW No. 5140.

To authorize the issue of \$12,000 debentures to provide for the erection of a building on the Western Fair Grounds for use by the Y. M. C. A. and military authorities; for a contribution to the Canadian Red Cross Society; for a soldiers' club; also for a contribution to the British Red Cross Society; and for certain alterations to the Western Fair Buildings.

Whereas it is expedient that the Corporation of the City of London shall expend the sum of \$3,000 for the erection of a building on the Western Fair Grounds for use by the Y.M.C.A. and the military force and for other purposes;

And whereas it is expedient to grant the sum of \$1,000 to the London Branch of the Canadian Red Cross Society;

And whereas it is expedient to expend the sum of \$1,000 in making alterations to certain of the buildings on the Federal Square property in order that they may be fit for use as a soldiers' club;

And whereas it is expedient to grant the sum of \$5,000 to the British Red Cross Society;

And whereas it is expedient to expend the sum of \$2,000 in making alterations to certain of the buildings of the Western Fair Association, in order that they may be fit for use by the military force;

And whereas it is expedient to borrow the sum of \$12,000 for the purposes aforesaid;

And whereas by an Act passed by the Legislature of the Province of Ontario in the sixth year of his late Majesty's reign and chaptered 76 and known as *The City of London Act, 1906*, it is by section 22 thereof provided that the limit of the borrowing power of the said corporation shall, notwithstanding the provisions of any Act or law to the contrary, be fourteen per centum of the assessed value of the whole rateable property of the said city of London, as shown by the last revised assessment roll for the time being of the said city;

And whereas it is by section 23 of the said last mentioned Act provided that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by the next preceding section has been reached, the net amount of its indebtedness for waterworks purposes being the sum of \$549,909.36, and any liability in respect of local improvement debentures, issued by the said corporation, except such portion thereof as is payable by the said corporation at large shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And

And whereas it is provided by section 9 of *The City of London Act, 1913*, that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by *The City of London Act, 1906*, has been reached, any debentures issued under the authority of said section 9 of the said Act shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And whereas the amount of the whole rateable property in the City of London, according to the last revised assessment roll thereof is the sum of \$37,509,182.00;

And whereas the amount of the general debenture debt of the city, exclusive of its indebtedness for waterworks purposes, or the said sum of \$549,909.36, exclusive of its local improvement debenture debt, except such portion thereof as is payable by the said corporation at large, and exclusive of the debenture debt for \$700,000 authorized by section 9 of *The City of London Act, 1913*, and by by-law of the said City of London, No. 4471, is the sum of \$4,732,505.91, of which no portion of the principal or interest is in arrear;

And whereas the said sum of \$12,000 is the debt intended to be created by this by-law;

And whereas it is desirable to issue the said debentures at one time, and to make the principal of the said debt repayable by yearly sums during the period of ten years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt, shall be nearly as possible equal to the amount so payable in each of the other nine years of the said period;

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$1,554.06;

And whereas it is intended that this by-law shall not take effect or be binding on the corporation unless and until this by-law shall have been validated by the Legislature of the Province of Ontario;

Be it therefore enacted by the Municipal Council of the Corporation of the City of London as follows:—

1. It shall be lawful for the mayor of the said city to raise by way of loan upon the security of the debentures hereinafter mentioned, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the credit of such debentures, a sum of money not exceeding in the whole the sum of \$12,000 and to cause the same to be paid into the hands of the Treasurer of the said City of London for the purposes and with the objects above recited.

2. The said debentures shall, pursuant to the provisions of section 288 of *The Municipal Act*, be made payable as follows:—

\$954.06 thereof in one year from the thirty-first day of December, A.D. 1915.
 \$1,001.76 thereof in two years from the thirty-first day of December, A.D. 1915.
 \$1,051.84 thereof in three years from the thirty-first day of December, A.D. 1915.
 \$1,104.44 thereof in four years from the thirty-first day of December, A.D. 1915.
 \$1,159.66 thereof in five years from the thirty-first day of December, A.D. 1915.
 \$1,217.64 thereof in six years from the thirty-first day of December, A.D. 1915.

\$1,278.52

\$1,278.52 thereof in seven years from the thirty-first day of December, A.D. 1915.

\$1,342.46 thereof in eight years from the thirty-first day of December, A.D. 1915.

\$1,409.56 thereof in nine years from the thirty-first day of December, A.D. 1915.

\$1,480.06 thereof in ten years from the thirty-first day of December, A.D. 1915.

and all of the said debentures shall bear date the date of the passing of the Act of the Legislature of the Province of Ontario, validating this by-law, and be made payable in Canada, Great Britain or elsewhere, and shall have coupons attached for the payment of interest.

3. The said debentures shall bear interest at the rate of five per cent. per annum from the thirty-first day of December, A.D. 1915, which interest shall be payable half yearly on the thirtieth day of June and thirty-first days of December in each year at the place where the said debentures are made payable.

4. During the currency of the debentures to be issued under the authority of this by-law, there shall be raised annually by a special rate on all the rateable property in the City of London, over and above all other rates and taxes, the sum of \$1,554.06 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

5. The said mayor and treasurer may cause the said debentures, or a sufficient amount thereof to be sold or hypothecated, or may authorize the said debentures, or any portion thereof, to be purchased or taken as and for a temporary or permanent investment of the sinking fund of the City of London, and the proceeds of the said debentures "amounting to \$3,000, after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be applied for the purpose of paying for the erection of a building on the Western Fair Grounds for use by the Y.M.C.A. military force, and for other purposes; and the proceeds of the said debentures amounting to \$1,000, after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be paid over to the London Branch of the Canadian Red Cross Society; and the proceeds of the said debentures amounting to \$1,000, after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be applied for the purpose of making alterations to certain of the buildings on the Federal Square property in order that they may be fit for use as a soldiers' club, and for no other purpose; and the proceeds of the said debentures amounting to \$5,000, after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be paid over to the British Red Cross Society; and the proceeds of the said debentures amounting to \$2,000, after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be applied for the purpose of paying for making alterations to certain of the buildings of the Western Fair Association in order that they may be fit for use by the military force, and for no other purpose."

7. This by-law shall not take effect or be binding upon the corporation unless and until it has been validated by the Legislature of the Province of Ontario.

Passed in open Council this 29th day of November, A.D. 1915.

H. A. STEVENSON, *Mayor*.
S. BAKER, *Clerk*.

SCHEDULE "C."

BY-LAW No. 4955.

To provide for the issue of \$10,000 debentures for the purpose of assisting the Western Fair Association to rebuild the grand stand on the Western Fair Grounds.

Whereas it is expedient to grant to The Western Fair Association the proceeds of debentures to be issued for \$10,000 as hereinafter provided, to assist the said Association in rebuilding a grand stand on the Western Fair Grounds;

And whereas by an Act passed by the Legislature of the Province of Ontario in the sixth year of His late Majesty's reign, and chaptered 76, and known as *The City of London Act, 1906*, it is by section 22 thereof provided that the limit of the borrowing power of the said corporation shall, notwithstanding the provisions of any Act or law to the contrary, be fourteen per centum of the assessed value of the whole rateable property of the said City of London, as shown by the last revised assessment roll for the time being of the said city;

And whereas it is by section 23 of the said last mentioned Act provided that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by the next preceding section, has been reached, the net amount of its indebtedness for waterworks purposes being the sum of \$549,909.36, and any liability in respect of local improvement debentures issued by the said corporation, except such portion thereof as is payable by the said corporation, at large, shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And whereas it is provided by section 9 of *The City of London Act, 1913*, that in calculating the amount of the indebtedness of the said corporation for the purposes of ascertaining if the limit of its borrowing power, as fixed by *The City of London Act, 1906*, has been reached, any debentures issued under the authority of the said section shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And whereas the amount of the whole rateable property in the City of London according to the last revised assessment roll thereof is the sum of \$37,509,182.00;

And whereas the amount of the general debenture debt of the city, exclusive of its indebtedness for waterworks purposes, or the said sum of \$549,909.36, exclusive of its local improvement debenture debt, except such portion thereof as is payable by the said corporation at large, and exclusive of its indebtedness for constructing, equipping and operating the London and Port Stanley Railway, being the sum of \$700,000.00, amounts to \$4,279,392.32, of which no portion of the principal or interest is in arrear;

And whereas the said sum of \$10,000 is the debt intended to be created by this by-law;

And whereas it is desirable to issue the said debentures at one time, and to make the principal of the said debt repayable by yearly sums during the period of five years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt, shall be as nearly as possible equal to the amount so payable in each of the other four years of the said period;

And

And whereas the total amount required by *The Municipal Act*, to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$2,309.76;

And whereas it is intended that this by-law shall not take effect or be binding on the corporation unless and until this by-law shall have been validated by the Legislature of the Province of Ontario;

Be it therefore enacted by the Municipal Council of the Corporation of the City of London as follows:—

1. It shall be lawful for the mayor of the said city to raise by way of loan upon the security of the debentures hereinafter mentioned, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the credit of such debentures, a sum of money not exceeding in the whole the sum of \$10,000, and to cause the same to be paid into the hands of the Treasurer of the said City of London for the purposes and with the objects above recited.

2. The said debentures shall, pursuant to the provisions of section 288 of *The Municipal Act*, be made payable as follows:—

\$1,809.76 thereof in one year from the thirtieth day of June,
A.D. 1916.

\$1,900.24 thereof in two years from the thirtieth day of June,
A.D. 1916.

\$1,995.24 thereof in three years from the thirtieth day of June,
A.D. 1916.

\$2,095.00 thereof in four years from the thirtieth day of June,
A.D. 1916, and

\$2,199.76 thereof in five years from the thirtieth day of June,
A.D. 1916.

and all of the said debentures shall bear date the 30th day of June, A.D. 1916, and be made payable in Canada, Great Britain or elsewhere, and shall have coupons attached for the payment of interest.

3. The said debentures shall bear interest at the rate of five per cent. per annum from the date thereof, which interest shall be payable half yearly, on the 30th days of the months of June and December in each year at the place where the said debentures are made payable.

4. During the currency of the debentures to be issued under the authority of this by-law, there shall be raised annually by a special rate on all the rateable property in the City of London, over and above all other rates and taxes, the sum of \$2,309.76 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

5. The said mayor and treasurer may cause the said debentures or a sufficient amount thereof to be sold or hypothecated, or may authorize the said debentures, or any portion thereof, to be purchased or taken as and for a temporary or permanent investment of the sinking fund of the City of London, and the proceeds thereof after providing for the discount (if any) and the expenses of the negotiation and sale thereof, shall be applied as and for the purposes above specified and for no other purpose.

6. This by-law shall not take effect or be binding upon the corporation unless and until it has been validated by the Legislature of the Province of Ontario.

Passed in open Council this 3rd day of May, A.D. 1915.

H. A. STEVENSON, *Mayor*.
S. BAKER, *Clerk*.

CHAPTER 78.

An Act respecting the Township of London.

Assented to 27th April, 1916.

WHEREAS the Municipal Corporation of the Township of London in the County of Middlesex has by petition represented that the lands and premises described in Schedule "A" hereto were part of the said Township and were annexed to the City of London by an order of the Ontario Railway and Municipal Board dated the ninth day of April, 1913; and whereas by the terms of the said order as varied by an order of the said Board dated the seventeenth day of December, 1913, the taxes, for the year 1913, upon the lands and premises described in Schedule "A" hereto were directed to be paid to the Corporation of the Township of London notwithstanding the said order of annexation; and whereas the assessment of the said lands for the years 1912 and 1913 was irregular, invalid and incomplete, and it is expedient that authority should be granted to assess the said lands in 1916 for the years 1912 and 1913 and to collect taxes on the assessment so made; and whereas the said Corporation has prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) Notwithstanding that the lands described in Schedule "A" hereto have been annexed to the City of London, the Assessor of the Township of London for the year 1916 shall assess the said lands in the year 1916 for the years 1912 and 1913 *nunc pro tunc* in the same manner and with the same effect as if the said assessments had been duly made by the Assessor of the said Township in the years 1912 and 1913 respectively and the said lands were part of the said Township of London and not annexed to the City of London, and the Collector of Taxes for the said Township shall collect the taxes for the years 1912 and 1913 at the rates imposed by the Council of the Corporation of the Township

Assessment of certain lands for 1912, 1913.

ship of London for the years 1912 and 1913 respectively, and the same right of appeal shall lie against the assessment so made as if the said lands had been validly assessed by the Assessor of the said Township in the years 1912 and 1913 respectively, and the time for the appeals from such assessments is extended to the fourteenth day of May, 1916, and the taxes at the rates levied in the said Township for the years 1912 and 1913 respectively, shall be legal, valid and binding, and shall be collected in the same manner and at the same time as the taxes levied in the said Township for the year 1916 are collected.

Application
of subsec. 1.

(2) Subsection 1 shall be deemed to cover all classes of taxes for which the said lands should have been rated in the years 1912 and 1913, and the persons in occupation thereof during such years shall be liable for the business tax in respect of the said lands.

SCHEDULE "A."

1. Those portions of Lots Numbers Fourteen and Fifteen according to a plan and survey of Lots Numbers Six and Seven in the First Concession of the Township of London in the County of Middlesex, registered in the Registry Office for the North and East Ridings of the County of Middlesex as Plan Number 19, now in the City of London in the County of Middlesex; lying north of the right-of-way of the Canadian Pacific Railway Company, and excepting therefrom the lands owned by the Grand Trunk Railway Company.

2. Lots Numbers Twenty, Twenty-one, Twenty-six and Twenty-seven according to a plan and survey of Lots Numbers Six and Seven in the First Concession of the Township of London in the County of Middlesex, registered in the Registry Office for the North and East Ridings of the County of Middlesex as Plan Number 19, and now in the City of London in the County of Middlesex, excepting therefrom the lands owned by the Grand Trunk Railway Company.

CHAPTER 79.

An Act respecting the Town of Midland.

Assented to 27th April, 1916.

WHEREAS the Corporation of the Town of Midland Preamble. has by petition represented that there is an outstanding indebtedness of the Town of Midland amounting to the sum of \$25,000.00, which said indebtedness has in part been accumulating for a number of years, and a considerable part thereof is for capital expenditure in connection with the purchase of land for waterworks extensions, for a site for a malleable iron plant, for moneys expended in connection with a town map and survey, for patriotic subscriptions, and other matters, as more particularly set out in the recital to By-law No. 919 of the Town of Midland set out in full in the schedule to this Act; and the said municipality has by its petition represented that it is unable to pay the said indebtedness otherwise than by the issue of debentures therefor, and has passed By-law No. 919 of the Town of Midland authorizing the issue of debentures for the amount of \$25,000.00, and payable over a period of twenty years, and has petitioned that an Act may be passed to confirm and legalize the said by-law, and the debentures to be issued thereunder; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 919 of the Corporation of the Town of Midland set forth in full in Schedule "A" to this Act is By-law No. 919 of Town of Midland confirmed. hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation and the rate-payers thereof, notwithstanding any want of jurisdiction on the part of the municipality to pass the said by-law.

Confirma-
tion of
debentures.

2. The debentures issued, or to be issued, under, or in pursuance of the provisions of the said by-law, are ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any defect in substance or in form of the said by-law, or debentures, or in the manner of passing or issuing the same, and the said Corporation of the Town of Midland is authorized and empowered to do all acts and things necessary for the full and proper carrying out of the said By-law No. 919.

By-law No.
1201 of
County of
Simcoe
confirmed.

3. By-law No. 1201 of the county council of the County of Simcoe authorizing the guarantee of the debentures to be issued under the Town of Midland By-law No. 919 to the amount of \$25,000.00, is hereby confirmed and declared to be legal, valid and binding on the Corporation of the County of Simcoe.

SCHEDULE "A."

TOWN OF MIDLAND—BY-LAW No. 919.

A by-law to authorize the issue of \$25,000.00 debentures for the purpose of paying off the floating indebtedness of the Town of Midland and certain other purposes as hereinafter set out.

Whereas the Corporation of the Town of Midland has an outstanding floating indebtedness, as hereinafter recited, and has also incurred and paid during the year 1915 certain sums in connection with patriotic purposes, and for the purchase of land and other matters, as set out in the succeeding paragraph, which said several sums amount in all to \$25,000;

And whereas the particulars and details of the said amount of \$25,000.00 are as follows:

Red Cross subscriptions	\$ 1,020 00
Benson and Bray, indebtedness	4,192 66
Insurance paid for soldiers.....	2,540 99
Amount paid for town map and survey	1,000 00
Purchase of land for Malleable Iron site	3,430 00
Refund to the Township of Tay	900 00
Land purchased for waterworks extensions	1,301 09
Floating indebtedness	10,615 26
	<hr/>
	\$25,000 00

Whereas the said municipality is unable to pay the said indebtedness at once, and it is desired to issue debentures of the Corporation of the Town of Midland for the said sum of \$25,000.00, which is the amount of the debt intended to be created by this by-law, and to spread the repayment thereof over a period of twenty years.

And whereas the total amount required by the *Municipal Act* to be raised annually by special rate for paying the said debt and interest is the sum of \$2,091.98, being a sum sufficient to pay the principal and interest due on the said sum of \$25,000 in twenty equal annual payments bearing interest at five and one-half (5½) per cent. per annum, and being payable in twenty equal annual payments of the said sum of \$2,091.98 each for the twenty years from and after the date hereof;

And whereas the amount of the whole rateable property of the Town of Midland, according to the last revised assessment roll (being the assessment roll for the year 1915), is the sum of \$2,480,806.00;

And whereas the total amount of the existing debenture debt of the said municipality is the sum of \$402,362.38 (of which said debt the sum of \$124,070.43 is for water and light purposes, and the sum of \$65,479.42 is for local improvement purposes), and no part thereof either for principal or interest is in arrear;

Therefore the Municipal Council of the Town of Midland enacts as follows:

1. That for the purpose of raising the said sum of \$25,000 debentures of the said Town of Midland amounting to the sum of \$25,000.00 as aforesaid, shall be issued on the 1st day of May, A.D. 1916, payable on the first day of May, in the years 1917 to 1926 inclusive at the office of the treasurer of the Town of Midland with interest thereon at the rate of five and one-half (5½) per cent. per annum. The annual payments both of principal and interest

being

being shown in Schedule "A" to this by-law. The said debentures may be issued in twenty equal annual amounts; including both principal and interest, or may be issued in such amounts as may be convenient not exceeding the total amounts, as shown in Schedule "A" hereto, and may bear coupons for payment of interest.

2. The mayor of the said Town of Midland shall sign and issue the said debentures and the same shall also be signed by the treasurer of the Corporation of the Town of Midland, and the said debentures shall be sealed with the Corporate Seal of the Corporation of the Town of Midland.

3. That during the currency of the said debentures there shall be raised annually by special rate on all the rateable property of the Town of Midland the sum of \$2,091.98 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

4. The debentures may contain any clause providing for the registering thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof in the Province of Ontario.

5. This by-law shall not come into force, or be of any effect whatsoever until after the Municipal Council of the Town of Midland shall have been empowered and authorized to pass the same, and until the said by-law shall have been declared valid and binding upon the said municipality by an Act of the Legislative Assembly of the Province of Ontario.

6. Subject to the provisions of the fourth paragraph hereof, this by-law shall take effect on, from and after the date upon which any Act of the said Legislative Assembly declaring this by-law valid and binding upon the said municipality shall come into force.

By-law read a first, second and third time and finally passed at a regular meeting of the Municipal Council of the Town of Midland, held this 13th day of December, A.D. 1915.

(Signed) H. J. Craig, *Mayor*.

(Signed) F. R. Weston, *Clerk*.

TOWN OF MIDLAND—BYLAW No 919.

SCHEDULE "A."

\$25,000.00 debentures, payable in 20 annual payments of \$2,091.98.

Year.	Interest.	Principal	Annual Payment.
1917.....	\$1,375 00	\$716 98	\$2,091 98
1918.....	1,335 56	756 42	2,091 98
1919.....	1,293 96	798 02	2,091 98
1920.....	1,250 07	841 91	2,091 98
1921.....	1,203 75	888 23	2,091 98
1922.....	1,154 91	937 07	2,091 98
1923.....	1,103 37	988 61	2,091 98
1924.....	1,049 00	1,042 98	2,091 98
1925.....	991 63	1,100 35	2,091 98
1926.....	931 12	1,160 86	2,091 98
1927.....	867 26	1,224 70	2,091 98
1928.....	799 91	1,292 07	2,091 98
1929.....	728 85	1,363 13	2,091 98
1930.....	663 87	1,438 11	2,091 98
1931.....	574 78	1,517 20	2,091 98
1932.....	491 33	1,600 65	2,091 98
1933.....	403 30	1,688 68	2,091 98
1934.....	310 42	1,781 56	2,091 98
1935.....	212 43	1,879 55	2,091 98
1936.....	109 06	1,982 92	2,091 98
	<hr/>	<hr/>	<hr/>
	\$13,839 60	\$25,000 00	\$41,839 60

CHAPTER 80.

An Act respecting the Village of Mimico and
the Village of New Toronto.*Assented to 27th April, 1916.*

Preamble.

WHEREAS the Corporation of the Village of Mimico and the Corporation of the Village of New Toronto have by petition represented that the Village of Mimico and the Village of New Toronto each requires a system of sewerage, including a sewage pumping station, sewage treatment plant and a sewage disposal plant; that the Village of Mimico and the Village of New Toronto are adjoining municipalities, and so situate that the sewage of the system of sewerage for the Village of New Toronto could be discharged into a main trunk sewer on the Lake Shore Road in the Village of Mimico at the boundary of the said village and be treated and disposed of along with the sewage of the system of sewerage of the Village of Mimico by the same pumping plant, sewage treatment plant and sewage disposal plant of the Village of Mimico, if the said plants be constructed of sufficient capacity for that purpose and that a large reduction in the aggregate cost of construction and maintenance and in operating expenses would thus be effected; that the Provincial Board of Health made a report in writing dated the 29th day of June, 1915, that the Board having inquired into, ascertained and considered the existing conditions in the Municipality of the Village of Mimico is of the opinion that it is necessary in the interests of the public health that a sewerage system and sewage disposal works be established and that certain sewers mentioned in the said report be constructed; that in view of the facts and circumstances above mentioned the Corporation of the Village of Mimico and the Corporation of the Village of New Toronto have entered into an agreement in writing bearing date the 9th day of September, 1915, subject to the same being confirmed and validated by the Ontario Legislature, providing for the construction of certain of the said works as joint works, to be paid for by the said corporations in the proportions and in the manner provided for in the said agreement, a copy
of

of which said agreement is set forth in Schedule "A" to this Act; that the said corporations have by their petition further represented that the Village of Mimico requires a waterworks system and that the Provincial Board of Health has made a report in writing dated the 29th day of June, 1915, that the Board, having inquired into, ascertained and considered the existing conditions in the Municipality of the Village of Mimico is of the opinion that it is necessary in the interest of the public health that a waterworks system, water supply and certain specified water mains be established; and whereas the Corporation of the Village of New Toronto has constructed a waterworks system capable of pumping sufficient water to supply both of the said villages; that in view of the facts and circumstances above mentioned the Corporation of the Village of Mimico and the Corporation of the Village of New Toronto have entered into an agreement in writing bearing date the 22nd day of June, 1915, subject to the same being confirmed and validated by the Ontario Legislature, providing for the sale and delivery by the Corporation of the Village of New Toronto to the Corporation of the Village of Mimico of the water required by the last named corporation in the manner and at the price provided for in the said agreement, a copy of which said agreement is set forth in Schedule "B" to this Act; and the said corporations have by their said petition prayed that the said agreements may be validated and confirmed and that they may be granted all powers necessary to carry the provisions thereof into effect; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) The agreement bearing date the 9th day of September, 1915, made between the Corporation of the Village of Mimico, of the first part, and the Corporation of the Village of New Toronto of the second part, as set forth in Schedule "A" hereto is hereby amended by inserting after the words "sewage disposal plant" in the sixth line of clause 2, the words "including as part thereof a covered sewer to Lake Ontario." The said agreement as so amended is hereby confirmed and declared to be legal, valid and binding upon the Corporation of the Village of Mimico and the Corporation of the Village of New Toronto and the ratepayers thereof.

Agreement
between vil-
lages of
Mimico and
New Toron-
to con-
firmed.

(2) The agreement referred to in subsection (1) shall be deemed to have contained the words inserted therein by subsection (1) at and from the time of the execution thereof, and the

the provisions of the said agreement and of this Act shall apply to the said agreement as so amended.

(3) For the purpose of constructing the sewer mentioned in subsection (1) the Council of the Corporation of the Village of Mimico shall have the powers provided for in Part XV of *The Municipal Act*.

Certain works not to be constructed as local improvements.

Special assessment.

Special assessment roll.

Rev. Stat. c. 193.

Payment of special assessment.

Interest.

Annual rate per foot frontage.

By-law imposing special assessment and annual rate.

2.—(1) The following works being part of the system of sewerage to be constructed in the Village of Mimico, namely, the trunk sewer on the Lake Shore Road from the boundary at Dwight Avenue to the pumping station at Superior Avenue, and the sewage pumping station, the sewage pumping main, the sewage treatment plant, the sewage disposal plant, the trunk sewer on Church Street, and the trunk sewer on Superior Avenue shall not be constructed as a local improvement, but the sum of seventy-five cents per foot frontage shall be specially assessed upon the lands abutting upon each side of that part of the Lake Shore Road, Church Street and Superior Avenue in which the said trunk sewers are located. The lands abutting upon the right-of-way of the Toronto and York Radial Railway along the north side of the Lake Shore Road shall be deemed to be lands abutting on the north side of the Lake Shore Road.

(2) Before such special assessment is imposed the council shall procure to be made a special assessment roll under the provisions of sections 30 to 39, inclusive, of *The Local Improvement Act*, which for that purpose shall apply to the making of the said special assessment.

(3) The council shall impose upon the said land the special assessment with which it is chargeable, and the same shall be payable in such annual instalments as the council may prescribe, not exceeding the term of the debentures issued or to be issued to pay for the works.

(4) In fixing the amount of the annual instalments a sum sufficient to cover the interest shall be added.

(5) The amount of the annual instalments shall be raised by an annual rate per foot frontage.

(6) The special assessment set forth in the special assessment roll and the annual rate per foot frontage to raise such annual instalments shall be imposed by a by-law which the council may pass for that purpose. It shall not be necessary that such by-law shall be submitted to or receive the assent of the electors.

3. The Corporation of the Village of Mimico may from time to time borrow on the credit of the corporation at large, such sums as may be necessary to defray the cost of the system of sewers to be constructed for the municipality.

Borrowing powers of village of Mimico, re system of sewers.

4.—(1) The Council of the Corporation of the Village of Mimico may from time to time pass a by-law or by-laws authorizing the borrowing of money upon the credit of the corporation to pay for the trunk sewer on the Lake Shore Road from Dwight Avenue to the pumping station at Superior Avenue, the sewage pumping station, the sewage pumping main, the sewage treatment plant and the sewage disposal plant, but shall not include moneys required for any other works.

Borrowing powers re certain trunk sewer.

(2) The following shall be included in the cost of the said works:

Cost of work—what to include.

- (a) Engineering expenses;
- (b) Cost of advertising and service of notices;
- (c) Interest on temporary loans;
- (d) Compensation for land taken for the purposes of the works or injuriously affected by them and the expense incurred by the corporation in connection with determining such compensation;
- (e) The estimated cost of the issue and sale of debentures and any discount allowed to the purchasers of them.

(3) Any such by-law may provide that payment of the debenture or debentures thereby authorized to be issued may be guaranteed by the Corporation of the Village of New Toronto.

Guarantee of debentures by Village of New Toronto.

5. The Council of the Corporation of the Village of Mimico may from time to time pass a by-law or by-laws authorizing the borrowing of money on the credit of the corporation at large by the issue and sale of debentures to pay for the trunk sewers constructed or to be constructed on Church Street and Superior Avenue.

Borrowing powers re certain trunk sewers.

6. The provisions of *The Municipal Act* relating to by-laws for creating debts shall apply to a by-law passed under the authority of sections 4 and 5 of this Act, except that it shall not be necessary that the by-law be submitted to or receive the assent of the electors.

Application of Rev. Stat. c. 192.

Construction of part of sewerage system in Mimico as a local improvement. Rev. Stat. c. 193.

7. Any sewer forming part of the system of sewerage for the Corporation of the Village of Mimico, other than the trunk sewers and the sewage pumping main mentioned in section 2 of this Act, may be constructed as a local improvement pursuant to the provisions of *The Local Improvement Act*, and the said Act shall apply to such sewer, except that a sum of seventy-five cents per foot frontage shall be specially assessed upon the land abutting directly on the work, and shall be the owners' portion of the cost and the remainder of the cost of the work shall be the corporation's portion of the cost.

Guarantee by New Toronto of debentures of Mimico.

8.—(1) The Corporation of the Village of New Toronto may guarantee the payment of the principal and interest of any debenture or debentures of the Corporation of the Village of Mimico issued to borrow money to defray the cost of the works provided for in the said agreement mentioned and referred to in section 1 of this Act. Such guarantee may be placed on any part of such debentures and be in the following words, or to the like effect: "The Corporation of the Village of New Toronto hereby guarantees the payment of the principal and the interest of this debenture when and as the same becomes due." Such guarantee shall be sealed with the seal of the corporation and signed by the reeve and treasurer, and when so executed shall be binding upon the Corporation of the Village of New Toronto and the ratepayers thereof.

By-law to guarantee.

(2) The Council of the Corporation of the Village of New Toronto may pass a by-law or by-laws providing for the corporation guaranteeing the payment of the principal and interest of the debentures referred to in subsection 1 of this section. The provisions of *The Municipal Act* relating to by-laws for creating debts shall not apply to any by-law passed under the authority of this section, and it shall not be necessary that any such by-law be submitted to or receive the assent of the electors.

Rev. Stat. c. 192.

Duty of New Toronto to raise annually sums payable to Mimico under agreement.

9. The Council of the Corporation of the Village of New Toronto may, and it shall be the duty of such council, to pass a by-law or by-laws providing for raising in each year the moneys payable to the Corporation of the Village of Mimico in respect of the cost of the works provided for in the agreement mentioned and referred to in the first section of this Act, by a special rate sufficient therefor over and above all other rates on all the rateable property in the Village of New Toronto. The provisions of *The Municipal Act* relating to by-laws for creating debts shall not apply to any such by-law, and it shall not be necessary that any such by-law be submitted to or receive the assent of the electors.

10. The rate required to be assessed and levied in each year on all the rateable property within the Municipality of the Village of Mimico to pay for the said system of sewerage or any part thereof shall be excluded and not be taken into account in ascertaining the two cents in the dollar which may be assessed and levied in any year on the assessed value of the rateable property in the municipality as provided in section 297 of *The Municipal Act*.

Special rate in Mimico not to be reckoned in limit of two cents fixed by Rev. Stat. c. 192, s. 297.

11. The rate required to be assessed and levied in each year on all the rateable property in the Municipality of the Village of New Toronto to pay the corporation's portion of the cost of the sewerage works constructed in the Village of Mimico shall be excluded and not taken into account in ascertaining the two cents in the dollar which may be assessed and levied in any year on the assessed value of the rateable property in the Municipality of New Toronto as provided by section 297 of *The Municipal Act*.

Ibid as to certain rate in New Toronto.

12. All moneys received in any year by the Corporation of the Village of Mimico from the Corporation of the Village of New Toronto to pay the last named corporation's share of the interest upon moneys borrowed upon debentures and its share of the principal of such moneys as provided in the agreement referred to in the first section of this Act, shall be applied by the council of the first named corporation to the purposes for which the same were received and the said council may reduce accordingly the amount required to be raised in such year by special rate as provided in the by-law under which the moneys were borrowed and the debentures issued.

Application of moneys received from New Toronto.

13. The agreement bearing date the 22nd day of June, 1915, made between the Corporation of the Village of New Toronto of the first part and the Corporation of the Village of Mimico of the second part, as set forth in Schedule "B" hereto is confirmed and declared to be legal, valid and binding upon the Corporation of the Village of New Toronto and the Corporation of the Village of Mimico.

Agreement between villages confirmed.

14.—(1) The construction of any of the works referred to in this Act heretofore undertaken and executed, or performed, or partly executed or performed, is declared to have been lawfully so undertaken and executed or performed, and the rights, obligations and liabilities of the Corporation of the Village of Mimico in, to, for or in respect of the same shall be the same as they would have been had this Act been passed before the construction of any such works was so undertaken; Provided that this subsection shall not affect any question of liability for or in respect of the costs heretofore incurred

Validation of work heretofore executed.

in

in any litigation pending at the time of the passing of this Act.

Validation
of contracts
heretofore
made.

(2) Any contract heretofore made or entered into and any debt or obligation heretofore incurred by the Corporation of the Village of Mimico for or in connection with the construction of the works mentioned or referred to in this Act are validated and confirmed and declared to be valid and binding upon the said corporation and any other party thereto.

Moneys
heretofore
borrowed,
a debt owing by
Mimico.

15. Any moneys heretofore borrowed by the Corporation of the Village of Mimico to defray the cost of any of the works referred to in this Act pending the completion thereof are declared to be a lawful and valid debt of the Corporation of the Village of Mimico, recoverable by action against the said corporation in any Court of competent jurisdiction.

Temporary
loans.

16. The Corporation of the Village of Mimico may borrow money by way of temporary loan or loans to meet the cost of the works pending the completion thereof. Such temporary loan or loans may be made and secured in any manner authorized by *The Municipal Act*.

Annexation
of certain
lands to
Mimico.

17.—(1) The District, being part of the Township of Etobicoke, described in Schedule "C" to this Act, is hereby annexed to the Corporation of the Village of Mimico.

Apportion-
ment of
rates for
debenture
debts.

(2) The rates imposed to pay the debenture debt, inclusive of Local Improvement and School Debenture Debt, of the Corporation of the Township of Etobicoke, existing at the time of the passing of this Act, shall be apportioned as between the said District and the rest of the said Township, and the Corporation of the Village of Mimico shall, in each year, pay to the Corporation of the Township of Etobicoke the amount chargeable to the said District until the said debenture debt is paid. Such apportionment shall be based upon the revised assessment roll of the said Township for the year 1915. Provided that the Corporation of the Village of Mimico shall have the right at any time to commute the rates chargeable to the said District by the payment of such sum in cash as when invested at four per cent. per annum will provide an annuity sufficient to pay the said rates when and as they become due. If the Municipalities are unable to agree upon such apportionment then the apportionment shall be made by the Ontario Railway and Municipal Board.

Registration
of land
annexed.

(3) A copy of Schedule "C" certified by a Notary Public for the Province of Ontario and a plan of the District described in the said Schedule certified by an Ontario Land

Surveyor

Surveyor may be registered and filed in the proper Registry Office in that behalf, without further or other proof thereof or authority for receiving and registering the same.

18.—(1) The Corporation of the Township of Etobicoke shall have the right to have the sewage from any sanitary sewer or sanitary sewers in the said Township treated at the sewage treatment plant, situate in the said annexed District, upon such terms as may from time to time be agreed upon between the said Township and the Corporation of the Village of Mimico and the Corporation of the Village of New Toronto, or in default of such agreement as may from time to time be fixed by the Ontario Railway and Municipal Board, or any other Board or authority having jurisdiction therein from time to time; provided that such sewage shall not be brought from any part of the said Township District more than one mile from the said sewage treatment plant, and that any connection with the said plant shall be made by the Commission in charge of the said plant at the expense of the said Township and in accordance with plans and specifications made by an Engineer employed by the said Commission and approved by the Provincial Board of Health.

(2) The rights granted to the Corporation of the Township of Etobicoke by subsection (1) of this section shall continue only so long as the sewage treatment plant now being erected in the said District continues to be used by the Corporation of the Village of Mimico and the Corporation of the Village of New Toronto, or either of them, and not in any case for a longer term than twenty years on the terms so fixed or agreed upon, but may be renewed from time to time upon such terms as the respective municipalities may mutually agree upon, or, if unable to agree, then upon such terms as the Ontario Railway and Municipal Board or any other authority or board having jurisdiction in that behalf may fix.

SCHEDULE "A."

Agreement made the 9th day of September, 1915.

Between

The Corporation of the Village of Mimico, hereinafter called "The Village of Mimico," of the first part;

and

The Corporation of the Village of New Toronto, hereinafter called "The Village of New Toronto," of the second part.

Whereas the Village of Mimico and the Village of New Toronto each require a system of sewerage, including a sewage pumping station, sewage treatment plant and a sewage disposal plant;

And whereas the Village of Mimico and the Village of New Toronto are adjoining municipalities and so situate that the sewage of the system of sewerage for the Village of New Toronto could be discharged into a main trunk sewer on the Lake Shore Road in the Village of Mimico at the boundary of the said village and be treated and disposed of along with the sewage of the system of sewerage of the Village of Mimico by the sewage pumping plant, sewage treatment plant and sewage disposal plant of the last mentioned village if the said plants be constructed of sufficient capacity for that purpose and thus effect a large reduction in the aggregate cost of construction and maintenance and in the operating expenses;

And whereas for the reasons above mentioned it is expedient and desirable in the interest of both of the said municipalities to effect the savings in cost, maintenance and operating expenses above referred to;

And whereas the proposed works have been considered and reported upon favourably and plans and specifications and estimates of the cost have been made by a competent engineer on behalf of each of the said municipalities;

And whereas the said plans, specifications and estimates of the cost of each of the said works in the Village of Mimico have been submitted to and approved of by the Provincial Board of Health;

Now therefore the parties hereto mutually agree as follows:—

1. There shall be constructed and maintained in the Village of Mimico as a part of the system of sewerage for the said village a trunk sewer on the Lake Shore Road in the said village from the municipal boundary at Dwight Avenue to a pumping station to be located on Superior Avenue and be connected with the same. The said trunk sewer shall have an interior diameter of thirty inches from Dwight Avenue to Church Street and the remainder thereof shall have an interior diameter of thirty-six inches.

2. There shall also be constructed under the joint supervision and control of the two municipalities interested and maintained and operated as part of the said system of sewerage of the Village of Mimico, a sewage pumping station located on Superior Avenue in the said village and in connection therewith a sewage pumping main, a sewage treatment plant and a sewage disposal plant to be located at such place or places as may be deemed expedient and be approved of by the Provincial Board of Health. The said pumping station, sewage pumping main, sewage treatment plant and sewage disposal plant shall be of capacity sufficient to pump, treat and dispose of the sewage from the system of sewerage of the said Village of Mimico and the sewage from the system of sewerage of the said Village of New Toronto, and shall be so constructed that units may be added at any time increasing the capacity thereof.

3. The Corporation of the Village of New Toronto shall have the right to and may connect the system of sewerage of the said Village of New Toronto with the said trunk sewer on the Lake Shore Road at Dwight Avenue in the said Village of Mimico and shall have the right to and may discharge the sewage of the said system of sewerage of the Village of New Toronto into the said trunk sewer and shall have the right to the use of the said trunk sewer, sewage pumping station, sewage pumping main, sewage treatment plant and sewage disposal plant in common with the Corporation of the Village of Mimico for the purposes of and in connection with the sewerage system of the Village of New Toronto.

4. The Corporation of the Village of New Toronto shall pay to the Corporation of the Village of Mimico the estimated cost of the said trunk sewer in excess of the cost of a trunk sewer having an interior diameter of twelve inches from Dwight Avenue to Church Street and of twenty-four inches for the remainder of the distance and a further sum equal to ten per centum of such excess in cost for compensation for the use of the right-of-way and payment of engineering and legal fees and incidental expenses. Such cost to be determined by reference to the tenders for the construction of sewers of the sizes mentioned.

5. The Corporation of the Village of Mimico and the Corporation of the Village of New Toronto shall each pay one-half of the cost of the said sewage pumping station, sewage pumping main, sewage treatment plant and sewage disposal plant and one-half of the cost of all lands acquired for the purposes thereof. Such payment shall be made as hereinafter provided. Any enlargements or extensions of the said works or any of them which may at any time become necessary shall be made at the joint cost and expense of the said corporation in equal shares.

6. The Village of Mimico shall borrow upon the credit of the said village the moneys necessary to pay for the construction of the said works, and the purchase of the said lands by the issue of debentures for such term, bearing such rate of interest and payable upon such plant as the reeve and council may deem expedient. The Corporation of the Village of New Toronto shall pay to the Village of Mimico in each and every year a sum sufficient to pay its share of the interest upon the moneys so borrowed and its share of the principal moneys falling due in each year or its share of the sinking fund as the case may be, according to the debentures issued therefor. Such payment to be made on or before the first day of December in each year. The Council of the Corporation of the Village of New Toronto shall forthwith pass a by-law providing for raising the moneys required to make the said annual payments by a special rate sufficient therefor upon all the rateable property in the said municipality. Such by-law shall be confirmed by the Act of the Legislature hereinafter provided for.

7. The said trunk sewer, sewage pumping station, sewage pumping main, sewage treatment plant and sewage disposal plant shall be maintained and operated at the joint expense of the said Village of Mimico and the Village of New Toronto, each paying one-half of the expense, maintenance and operation. The moneys for that purpose shall be provided by the parties hereto, by the council of each of the said parties including a sum sufficient to pay their respective shares thereof in the annual estimates of each and every year. It shall be the duty of "The Union Sewerage Commission" hereinafter provided for to render to each of the parties hereto an account of such cost for each month on or before the tenth day of the next succeeding month, provided that such account may be rendered at a later date, and each of the parties hereto shall pay to the said Commission its share of the said cost on or before the last day of the same month in which the said account is rendered.

8. The said works shall be managed and operated by a Commission to be named and called "The Union Sewerage Commission."

(1) The said Commission shall consist of six members, three of whom shall be appointed by the Council of the Corporation of the Village of Mimico and three of whom shall be appointed by the Council of the Corporation of the Village of New Toronto.

(2) The term of office of each commissioner shall commence on the first day of March in the year in which he is appointed and shall continue until the last day of February in the next succeeding year and thereafter and until his successor is appointed.

(3) Every commissioner shall be eligible for reappointment.

(4) The reeve and members of the council shall be eligible for appointment to the office of commissioner and may hold such appointment and be and remain the reeve or a member of the council at the same time.

(5) The Commission shall have authority to make all necessary expenditures for the operation, repair and maintenance of the works, provided such expenditure shall not exceed the sum provided by the councils of the parties hereto for that purpose in the annual estimates for the current year. The Commission shall not make any expenditure or incur any liability on capital account without the authority of the said councils. The commissioners at their first meeting in each year shall elect one of their members to be chairman of the Commission. The chairman shall preside at all meetings at which he is present. In the absence of the chairman the members present shall elect one of the members to preside as chairman of the Commission at that meeting. Four members shall constitute a quorum. A quorum of the Commission may transact any business regularly before the meeting. In the event of the members of the Commission being equally divided upon any question, such question shall, subject to the right of appeal hereinafter provided, be deemed to be decided in the negative, provided that any one or more of the commissioners may require the vote upon such question to be recorded in the minutes and any commissioner may appeal to The Ontario Railway and Municipal Board to decide such question, and the said Board shall have jurisdiction to and may decide the same, and such decision shall be final and conclusive upon all parties. The said Commission may make rules for the holding of meetings and the regulation and conduct of its business.

9. Any question or questions or matters in difference between the parties hereto which may arise respecting the interpretation of this agreement or any clause or clauses thereof, or respecting the obligations of the parties thereto under the same shall be referred to and determined by The Ontario Railway and Municipal Board, upon the summary application of both or either of the parties hereto, and for the purposes aforesaid the parties hereto shall submit all such matters as aforesaid to the said Board to be dealt with and determined under the general statutory jurisdiction of the said Board. There shall not be any appeal from the decision of the said Board.

10. Upon the expiration or sooner determination of this agreement the Corporation of the Village of Mimico shall pay to the Corporation of the Village of New Toronto such sum, if any, as the interest of the Corporation of the Village of New Toronto in the said works may be worth to the Corporation of the Village of Mimico, the sum, if any, to be paid as aforesaid to be ascertained and determined by The Ontario Railway and Municipal Board, if the parties hereto differ about the same.

11. The provisions of this agreement shall continue in force and be binding upon the parties hereto for the term of thirty years from

from the date hereof. Provided that the parties hereto may by mutual agreement vary or rescind the same.

This agreement is made subject to its being confirmed and validated by an Act of the Ontario Legislature to be passed at the next Session thereof, and upon being so confirmed and validated shall be deemed to have been valid and in force at and from the date hereof.

In testimony whereof this agreement is sealed with the seal and signed by the reeve and treasurer of each of the parties hereto.

(Signed) C. COXHEAD, *Reeve.*

(Signed) J. A. TELFER, *Clerk.*

(Seal of the Village of Mimico.)

(Signed) GEO. IRNSIDE, *Reeve.*

(Signed) GEO. D. SCOTT, *Clerk.*

(Seal of the Village of New Toronto.)

SCHEDULE "B."

This agreement made this twenty-second day of June, in the year One Thousand Nine Hundred and Fifteen,

Between

The Corporation of the Village of New Toronto, in the County of York, hereinafter called the "Corporation," of the first part;

and

The Corporation of the Village of Mimico, in the County of York, hereinafter called the "Corporation," of the second part.

Whereas the Corporation of the first part have established a municipal waterworks system and purification plant for the supplying of pure filtered water for the inhabitants of the said Corporation;

And whereas the Corporation of the second part have made application to the Corporation of the first part for a supply of water for the inhabitants of their village;

And whereas the Corporation of the first part have agreed to supply to the Corporation of the second part a supply of pure filtered water;

Now, therefore, this agreement witnesseth, that the parties hereto mutually agree each with the other in the manner following, that is to say:—

1. The Corporation of the first part covenants and agrees with the Corporation of the second part as follows:—

(a) To supply to the Corporation of the second part a sufficient quantity of water out of the municipal waterworks plant, at the rate of eight cents per thousand gallons, for the first fifty thousand gallons per day, all over fifty thousand gallons per day and up to one hundred thousand gallons at seven and one-half cents per thousand gallons, all over one hundred thousand gallons at seven cents per thousand gallons, provided that the Corporation of the second part shall take a minimum supply of not less than fifty thousand (50,000) gallons per day.

(b) The Corporation of the first part further agrees to deliver the said water supply to the Corporation of the second part at the boundary line of the two municipalities on New Toronto Street; provided also that the Corporation of the second part shall supply all meters, storage

SCHEDULE "C."

DISTRICT TO BE ANNEXED TO THE VILLAGE OF MIMICO.

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, County of York, Province of Ontario, being composed of part of Grand Avenue as laid out upon Plan M 110, part of Portland Street as laid out upon Plan M 68, part of Plan M 137, and part of Block A, Plan M 171, and part of the right-of-way of the Grand Trunk Railway, having an area by admeasurement of twenty-one and three-tenths acres (21.3), more or less, and being more particularly described as follows:

Commencing at the point of intersection of the centre line of tracks of the Grand Trunk Railway with the centre of the Mimico Creek as it may be from time to time.

Thence on a course of S. 44° 42' W. along the centre line of tracks of the Grand Trunk Railway a distance of one thousand four hundred and forty-three feet (1,443') more or less to its intersection with the production easterly of the centre line of Portland Street as laid out upon Plan M 68. The south-westerly three hundred and fifty feet of said course being also part of the present limits of the Corporation of the Village of Mimico.

Thence on a course of S. 73° 56' W. along the production of the centre of said Portland Street and along the centre line of Portland Street a distance of two hundred and twenty-two feet (222') more or less to the intersection of the said line with the centre line of Grand Avenue as laid out upon Plan M 110.

Thence on a course of N. 16° 0' W. along the centre line of Grand Avenue a distance of nine hundred and fifty-one feet and ten inches (951' 10") more or less to the intersection of the said line with the centre line of Manitoba Street as laid out upon Plan M 137.

Thence on a course of N. 73° 56' E. along the centre line of Manitoba Street a distance of one thousand two hundred and fifty-four feet and three inches (1,254' 3") more or less to the intersection of the said line with the westerly limit of Melrose Street.

Thence on a course of N. 67° 41' E. a distance of sixty-seven feet and two inches (67' 2") more or less to the north-westerly angle of lot No. 245 according to said Plan No. M 137.

Thence on a course of N. 81° 30' E. along the division line between lots 245 and 246 according to said Plan M 137, and the production easterly thereof, a distance of three hundred and fifty feet (350') more or less to the intersection of the said line with the centre line of the Mimico Creek as it may be found from time to time.

Thence south-westerly, southerly and south-easterly following the centre line of the said Mimico Creek to its intersection with the centre line of the tracks of the Grand Trunk Railway, being the point of commencement. All of which lands are shown on a plan prepared by W. A. & W. H. Browne, O. L. Surveyors, and dated at Toronto, February 25th, 1916.

"W. A. & W. H. BROWNE,"

O. L. Surveyors.

CHAPTER 81.

An Act respecting the Village of New Toronto.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Municipal Corporation of the Village of New Toronto has by its petition represented that it would greatly conduce to the benefit of the said municipality to secure the founding within its limits of the manufacturing plant of Goodyear Tire and Rubber Company of Canada, Limited; and whereas the said corporation has prayed for special legislation authorizing, validating and confirming By-law Number 94 of the said corporation, being a by-law authorizing the corporation to enter into an agreement with the said company to fix the assessment of the lands and premises of the said company for a period of twenty years; and whereas on the 8th day of January, A.D. 1916, by a vote of 189 for and 58 against, the qualified electors assented to the said by-law; and whereas it is deemed expedient to grant the prayer of the said petitioner;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law No.
94 confirmed.

1. By-law Number 94 of the Corporation of the Village of New Toronto set out as Schedule "A" hereto is confirmed and declared to be legal, valid and binding.

Authority
to enter into
agreement
with
company.

2. The said Corporation of the Village of New Toronto is hereby empowered to enter into and execute the agreement set out as Schedule "B" hereto, and when such agreement has been executed it shall be legal, valid and binding upon the said corporation and upon the said company.

SCHEDULE "A."

BY-LAW NUMBER 94.

A by-law to aid the Goodyear Tire and Rubber Company of Canada, Limited, by fixing the assessment of all the property of the said company (inclusive of business assessment) also including buildings for a period of twenty years and to authorize the council of this corporation to enter into an agreement with the said company for that purpose.

Whereas the Council of the Corporation of the Village of New Toronto deem it desirable to aid the Goodyear Tire and Rubber Co. of Canada, Limited by fixing their assessment for a period of twenty years upon the terms and conditions set forth in the agreement hereinafter set forth, and which forms part of this by-law;

And whereas the amount of the rateable property of the Municipal Corporation of the Village of New Toronto, according to the last revised assessment roll is \$1,073,500;

And whereas the amount of the whole debenture debt of the said corporation amounts to the sum of \$58,268.65 (exclusive of local improvement debts) and no portion of the principal or interest is in arrears;

Therefore the Municipal Corporation of the Village of New Toronto enacts as follows:—

1. The Corporation of the Village of New Toronto may make and enter into the agreement with the Goodyear Tire and Rubber Company of Canada, Limited, as hereinafter set forth and forming part of this by-law, and the reeve and clerk of the said municipality are hereby instructed and authorized to sign and execute the said agreement, and the clerk of the corporation is hereby instructed and authorized to affix the corporate seal to the said agreement.

2. Upon the said company complying with the terms of the said agreement, and subject to the terms and conditions thereof, the company's lands and premises described in the said agreement, shall be fixed at an assessment of \$1,000.00 per acre for the period of twenty years in accordance with the terms of the said agreement.

3. This by-law shall not apply to or affect taxation for school purposes.

4. That this by-law (in the event of the assent of the electors being obtained thereto, and subject to the approval and confirmation of the Provincial Legislature) shall take effect from the final passing and ratification thereof.

5. The votes of the electors of the said Municipality of New Toronto shall be taken on this by-law at the following time and place, that is to say:—

On the 8th day of January, 1916, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon and no longer, in the School Hall, on Fifth Street, in the said Village of New Toronto, by the following deputy returning officers and poll clerks.

Polling Sub-Division No. 1.

Deputy Returning Officer—A. E. Kearsley.
Poll Clerk—A. F. Gilbert.

Polling Sub-Division No. 2.

Deputy Returning Officer—Chas. Woods.
Poll Clerk—J. Ruttan.

6. A true copy of this by-law shall be published in *The Times and Guide*, Weston, on the days hereinafter mentioned, that is to say: On the 17th day of December, on the 24th day of December, and on the 31st day of December, 1915.

7. On the 30th day of December, 1915, at the Council Chamber on the Lake Shore Road, at 8 o'clock p.m., the reeve will in writing, signed by him, if requested so to do, appoint two persons to attend at the final summing up of the votes by the clerk of this corporation and one person to attend the polling place on behalf of the persons interested in and desirous of the answering of the said question in the affirmative and a like number on behalf of the persons interested in and desirous of the answering of the said question in the negative respectively.

8. The 10th day of January, 1916, at the said Council Chamber in the Village of New Toronto, at the hour of 8 o'clock p.m., is hereby appointed for the summing up by the clerk of this corporation of the number of votes given in the affirmative and in the negative respectively.

9. That the following form of ballot to the like effect, shall be used in taking the aforesaid votes:—

A by-law to fix the assessment of the Goodyear Tire and Rubber Company of Canada, Limited,

For.....	189
Against.....	58

Read a first time this 16th day of December, 1915.

Read a second time this 16th day of December, 1915.

Read a third time and finally passed this 7th day of February, 1916.

GEO. IRONSIDE,
Reeve.
GEO. D. SCOTT,
Clerk.

Seal
of
Corporation.

SCHEDULE "B."

This Agreement made in duplicate this 16th day of December, A.D. 1915.

Between

The Corporation of the Village of New Toronto, hereinafter called the Corporation, of the first part,

and

The Goodyear Tire & Rubber Company of Canada, Limited, hereinafter called the Company, of the second part.

Whereas the parties hereto are desirous that the said company should erect and operate a factory and carry on a business within the limits of the said corporation;

And whereas the company has agreed to purchase from the owners thereof the lands and premises described in Schedule "A" hereto (hereinafter called the said lands) on the condition that they succeed in obtaining from the said corporation certain privileges and concessions hereinafter set out for which they will agree to do the things hereinafter set out;

Now this Indenture witnesseth that in consideration of the premises and for further and other valuable considerations the said parties hereto covenant, promise and agree to and with one another as follows, that is to say:—

1. The said corporation will forthwith after the execution of this indenture by the parties hereto duly pass the necessary by-laws in that behalf and have them duly ratified, sanctioned and approved by the ratepayers as required by by-law and endeavour to have the same confirmed by the Legislature of Ontario. The company shall forthwith after the confirmation of the by-laws as aforesaid purchase the said lands and premises and within one year thereafter commence and diligently proceed with to its completion the erection of factory buildings on the said lands for the purposes of their business.

2. The company shall for a period of twenty years from the completion of the said factory (hereafter called the said period) employ in their said business at least three hundred men and pay in wages for each calendar year thereafter the sum of at least \$150,000.

3. In case of a fire which shall render it impossible for the time being for the company to continue its business in any or all of its departments during the said period, then, if the company shall forthwith proceed to re-build and restore their buildings to their former condition of efficiency for the purpose of resuming and carrying on its business at the earliest practical time, it shall be relieved *pro tanto* of its undertaking to employ the number of men and to pay the quantity of wages per calendar year hereinbefore set out and the number of men and proportion of wages for the year during which such fire shall have occurred shall be estimated proportionately for the portion of such year during which the company's factory could have been operated.

4. The corporation shall take steps to and shall close for the exclusive use of the said company and convey to the said company all the streets and lanes within the said lands to the intent that the company shall have one solid block of land bounded as in the description set forth, and the corporation shall do the same in

respect

respect of any street or lanes (save and except Birmingham Street) contained in any other block of land which may be acquired hereafter by the company within the limits of the said corporation for the purposes of their business.

5. During the said period the assessment of all the said lands, including all the buildings and improvements thereon, shall be fixed at \$1,000 per acre thereof; and save as aforesaid, the said lands, buildings and improvements; and the company shall be exempt from all taxation by the corporation, except local improvement rates or charges other than those referred to in the next succeeding paragraph.

6. The corporation shall at their own expense out of the general taxes and without any expense to the said company either by way of local improvement charges or otherwise, forthwith upon demand by the company commence and diligently proceed to its completion with all work necessary in order to:

(a) Provide the said company with a free site on the Lake Shore for a pumping station sufficient for the purposes of the said company;

(b) Provide and construct a 12-inch exclusive water main from the Lake Shore to the limits of the said lands through which the water may be pumped from the said pumping station directly thereto;

(c) Provide and construct adequate sewers for the purposes of the company up to the limits of the said lands;

(d) Provide and construct a switch or spur line to the said lands sufficient for the purposes of the company provided that the company shall return to the corporation any rebates secured by the company from any railroad company in lieu of shipment of full carloads.

7. The corporation shall forthwith, upon demand by the company, from time to time construct and keep in repair proper sidewalks and roadways on Birmingham Street, Ninth Street and Lake Shore Road adjoining the said lands, such construction to be done as a local improvement.

8. The corporation shall from time to time pass such by-laws as may be necessary to carry out all the terms of this agreement and shall when necessary have the same ratified, sanctioned and approved by the ratepayers and confirmed by the Legislature of Ontario as aforesaid.

9. The said corporation shall pay all the costs, charges or expenses in connection with or incidental to the reference to the ratepayers of any of the aforesaid by-laws and of the prosecution of any of the necessary applications for confirmation thereof to the Legislature of Ontario.

In witness whereof the proper officers of the company have hereunto set their hands and seals and fixed its corporate seal, and the reeve and the clerk of the corporation have set their hands and caused to be affixed the seal of the corporation.

Signed, sealed and delivered
in the presence of

SCHEDULE "A."

The following is the description referred to in the annexed agreement.

All and singular that certain parcel or tract of land situate, lying and being in the Village of New Toronto, in the County of York, consisting of Blocks 22, 21, 20 and 19, and the east half of Block 18, according to a plan registered in the Registry Office for the County of York as No. 1101, which lands may be more particularly defined as a block bounded on the north by the south limit of Birmingham Street, on the south by the north limit of Lake Shore Road, on the east by the west limit of Ninth Street, which is the east limit of the said Block No. 22, and on the west by a line drawn through the centre of the said block No. 18.

CHAPTER 82.

An Act respecting the Town of Ojibway.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Municipal Corporation of the Town of Ojibway has by petition represented that it was incorporated by an Act passed in the third and fourth years of the reign of His Majesty King George the Fifth, chaptered 108, under which Act the first councillors were to hold office until the 31st day of December, 1916; that it is desirable in the interests of the said corporation that the term of office of the first councillors should be extended, and that certain lands forming part of the Township of Sandwich West should be annexed to the said town; and whereas the said corporation has prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Certain
land
annexed
to town.

1. All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Sandwich West, County of Essex and Province of Ontario, containing by admeasurement forty and fifty-seven one hundredths (40 57-100) acres more or less, and being composed of a portion of lots numbers forty-nine, fifty, and fifty-one in the first concession of the Township of Sandwich West, County of Essex and Province of Ontario, and may be more particularly described as follows: Commencing at the intersection of the easterly limit of a public highway known as the Clark Road crossing said above mentioned lots, at its intersection with the southerly limit of said lot number forty-nine thence easterly along said last mentioned limit one thousand two hundred and sixty-three (1,263) feet three (3) inches more or less to the easterly limit of the Town of Ojibway; thence northerly along the northerly production of the said easterly limit of said Town of Ojibway one thousand five hundred and nine (1,509) feet

more

more or less to the northerly limit of the Titcombe Road; thence westerly along the northerly limit of said Titcombe Road one thousand one hundred and fifty-six (1,156) feet more or less to the easterly limit of said Clark Road; thence southerly along the easterly limit of said Clark Road one thousand four hundred and seventy-four (1,474) feet, six (6) inches more or less to the place of beginning, are hereby detached from the said Township of Sandwich West, and are annexed to the said Town of Ojibway.

2. The provisions of *The Municipal Act* as to the adjust-^{Application}ment of assets and liabilities, and as to matters consequent^{of Rev.} upon the annexation of land to a village under that Act^{Stat. c. 192.} shall apply to the annexation of the said land to the said Town under this Act.

3.—(1) Subsection 3 of section 3 of the Act passed in^{3-4 Geo. V,} the third and fourth years of the reign of His Majesty King^{amended.} George V, chaptered 108, is hereby amended by inserting after the figures "1916," the figures "1917, 1918 and 1919."

(2) Subsection 4 of section 3 of the said Act is amended by striking out in the second line thereof the figures "1916" and substituting therefor the figures "1919."

(3) Section 4 of the said Act is amended by striking out the figures "1916" in the first line thereof and substituting therefor the figures "1919."

(4) Section 5 of the said Act is amended by striking out the figures "1916" in the second line thereof, and substituting therefor the figures "1919."

CHAPTER 83.

An Act respecting the Township of Osgoode in the
County of Carleton.*Assented to 27th April, 1916.*

Preamble.

WHEREAS the Municipal Corporation of the Township of Osgoode in the County of Carleton has by petition represented that the said Corporation has a floating indebtedness amounting to \$7,250.00 and over, which indebtedness has been accumulating for a number of years last past and is represented by an overdraft in the Union Bank of Canada at the unincorporated Village of Metcalfe in the said Municipality; that the said floating indebtedness has been incurred by necessary expenditures in connection with: (1) The Blanchfield Drain which had to be abandoned (owing to informalities and irregularities in the initiating proceedings thereof), \$292.25; (2) Indebtedness incurred by loan from the Union Bank of Canada in November, 1914, unprovided for, \$5,500.00; (3) Indebtedness for necessary expenditures on permanent roads unprovided for, \$1,150.00; (4) Indebtedness incurred Grant to the British Red Cross, unprovided for \$300.00; that a special levy sufficient to pay off this indebtedness, if levied in any one year in addition to the necessary annual levy for the ordinary annual expenditure, would be unduly oppressive on the ratepayers of the said Municipality; and whereas the said Corporation has prayed that an Act may be passed authorizing the said Corporation to issue debentures to the extent of \$7,250.00 exclusive of interest thereon for the purpose of paying off the said floating indebtedness; and whereas it is expedient to grant the prayer of the said Petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority
to borrow
\$7,250.

1. It shall be lawful for the Corporation of the Township of Osgoode aforesaid to raise by way of loan on the credit of the debentures to be issued under the authority of this Act, from any person or persons or body corporate, a sufficient

cient sum or sums to pay the said floating indebtedness to the extent of \$7,250 exclusive of interest thereon.

2. It shall be lawful for the said Corporation from time ^{Debentures.} to time to pass a by-law or by-laws providing for the issue of debentures under the corporate seal, signed by the reeve and countersigned by the treasurer for the time being, to the extent of \$7,250 and interest thereon, at the rate of five per cent. per annum payable at such places as the corporation may deem expedient.

3. The said corporation may for the purposes herein mentioned raise money by way of loan on the said debentures or ^{Hypothecation of debentures.} sell or dispose of the said debentures from time to time as may be deemed expedient.

4. Any debt incurred under the authority of this Act shall be payable in ten years at the furthest from the date of the issuing of said debentures, and shall be payable in ten equal annual installments including principal and interest in such manner that the amount payable and to be raised and levied in any one year on account of principal and interest shall be equal as nearly as may be, to what is payable and to be raised and levied during each of the other years during the period within which the debt is to be discharged. ^{When debt to be paid.}

5. The said corporation shall levy, in addition to all other ^{Special rate.} rates to be levied in each year, a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures authorized to be issued under this Act, to be called "The 1916 Overdraft Debenture Rate"; and it shall not be necessary to levy for or to provide any sinking fund to retire the said debentures or any of them.

6. The said debentures and all moneys arising therefrom shall be applied by the said corporation in paying off said ^{Application of proceeds of debentures.} floating indebtedness to the amount of \$7,250 and in no other manner, and for no other purpose whatsoever.

7. Any by-law to be passed under this Act shall not be ^{By-law not to be repealed until debt satisfied.} repealed until the debt created under such by-law and the interest thereon shall have been paid and satisfied.

8. It shall not be necessary to obtain the assent of the ^{Assent of electors not required.} electors of the said Township of Osgoode to the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*, or to register or promulgate ^{Rev. Stat. c. 192.} same.

Form of
by-law and
debentures.

9. The said debentures issued under this Act may be in the form contained in Schedule "A" to this Act, and the by-law authorizing the same may be in the form of Schedule "B" to this Act.

Incon-
sistent en-
actments
not to apply.

10. Any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act shall not apply to the by-law or by-laws to be passed under the provisions of this Act, and no irregularity in the form of the said debentures or any of them authorized to be issued by this Act, or the by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures, or any or either of them, or any part thereof, and the purchaser or holder thereof, shall not be bound to enquire as to the necessity of passing such by-laws or of the issue of debentures, or as to the application of the proceeds thereof.

Short title.

11. This Act may be cited as *The Township of Osgoode Debenture Act, 1916.*

SCHEDULE "A."

(Section 9.)

Province of Ontario: Township of Osgoode.
No.

Under and by virtue of *The Township of Osgoode Debenture Act, 1916*, and By-law No. _____ of the Corporation of the Township of Osgoode passed under the provisions contained in the said Act, the Corporation of the Township of Osgoode promises to pay the bearer at the Union Bank of Canada at Metcalfe in the Township of Osgoode the sum of \$938.90 on the _____ day of _____ 19 _____.

Dated at Metcalfe in the County of Carleton this _____ day of _____ A.D. 19 _____.

(Seal)

Reeve.

Treasurer.

SCHEDULE "B."

(Section 9.)

BY-LAW.

By-law No. _____, to authorize the issue of debentures under the authority of *The Township of Osgoode Debenture Act, 1916.*

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned to the extent of \$7,250.00 together with interest thereon at the rate of five per centum per annum as the Corporation of the Township of Osgoode may in pursuance of and in conformity with the provisions of the said Act direct;

And whereas it is expedient in pursuance of the authority given by the said Act and for the purposes therein mentioned to raise by way of loan the said sum of \$7,250.00 and to provide for the payment of interest thereon by the issue of debentures;

And whereas it is proposed to pay off the said debt in ten years by ten equal annual instalments;

And whereas the whole rateable property of the said Township of Osgoode according to the last revised assessment roll of the said township, being for the year 1915, was \$2,190,689.00;

And whereas the amount of the existing debenture debt of the said municipality is \$54,249.39, whereof there is no principal or interest in arrear:

And whereas the total amount required by *The Municipal Act* to be raised in each year upon all the rateable property of the said municipal corporation for paying the said debt with interest is \$983.90; therefore the Municipal Corporation of the Township of Osgoode enacts as follows:—

(1) Debentures under the said Act for the purposes therein mentioned to the extent of \$7,250.00 and interest thereon at five per centum per annum are hereby authorized and directed to be issued. The debentures representing each instalment shall be dated on the day of the issue thereof respectively and shall be payable in equal amounts in each of the ten years next succeeding the said date, such amounts being made up of the aggregate sum due each year for principal and interest.

(2) During the currency of the said debentures for \$983.90, each representing one of the ten equal annual instalments, there shall be raised in addition to all other rates to be levied in each year upon all the rateable property of said municipality a special rate sufficient to pay the amount falling due annually for principal and interest on the said debentures.

(3) This by-law shall take effect on the date of the passing of said Act.

This by-law passed in open council this _____ day
of _____ in the year of our Lord _____

CHAPTER 84.

An Act to enable the Town of Oshawa to withdraw from the jurisdiction of the Council of the County of Ontario.

Assented to 27th April, 1916.

Preamble

WHEREAS the Corporation of the Town of Oshawa has, by petition, represented that the said town has of recent years increased rapidly in population and now contains a population of upwards of 9,000 and that the population is rapidly increasing and that the town is the centre of a prosperous agricultural district, contains many large and important manufactories and that by reason of such large and important manufactories its municipal requirements are distinctly different from those of the County of Ontario; and whereas the said Town of Oshawa has petitioned to have the town withdrawn from the jurisdiction of the Council of the County of Ontario; and whereas from the conditions aforesaid, as well as from other considerations, it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Interpretation.

1. In this Act—

(a) "Town" shall mean the Town of Oshawa;

(b) "County" shall mean the County of Ontario.

By-law to separate town from county.

2. The Council of the Town of Oshawa may pass a by-law to withdraw the town from the jurisdiction of the Council of the County of Ontario within which said town is situated upon obtaining the assent of the electors of the town to the by-law in the manner provided by *The Municipal Act*.

Rev. Stat. c. 192.

3. After the passing of the by-law, the said Town of Oshawa shall as part of the county for judicial purposes, so long as the county court house or gaol is also that of the said town, bear and pay its share or proportion to be agreed upon or settled by arbitration as hereinafter mentioned, of all charges and expenses from time to time incurred for the purposes mentioned in section 23 of *The Registry Act*, and in erecting, enlarging, improving, repairing or maintaining such court house and gaol and a house of refuge and children's shelter and of their proper lighting, cleaning, and heating; of drafting, selecting, enrolling and paying jurors; in providing the accommodation and other matters mentioned in subsection 1 of section 377 of *The Municipal Act*; and of all other charges relating to the administration of justice, including coroner's inquests and fees of county constables, which shall in the first instance be borne and paid by the county, and the salary and expenses of public school inspection in the said county and the expenses in connection with examinations for entrance into the high school in the said county; excepting only such costs, charges and expenses as the county is entitled to be repaid by the Province of Ontario.

Town required to pay to county share of certain charges and costs and expenses.

4. If the amount to be borne and paid by the town under section 3 is not mutually agreed upon by the said town and county, the same shall be ascertained by arbitration under *The Municipal Act*, and the share or proportion to be borne by the said town and county respectively shall be in proportion to the amount of the respective assessments of the said town and county as shown in the last equalized county assessment roll in force when a by-law under section 2 of this Act is finally passed, and the said arbitrator or arbitrators shall apportion the respective proportions of charges and expenses as between the town and county on the basis of the equalized assessment rolls as hereinbefore mentioned.

Arbitration in case of failure to agree.

5. If at any time after the separation of the said town from the said county takes effect, any adjoining municipality or territory is annexed to the said town, the proportion of costs and expenses to be borne by the said town in respect of the matters above mentioned shall be increased to the extent and in the proportion which the assessed value of the property in the territory so annexed bears to the assessed value of all property in the county as shown on the last equalized assessment roll of the county in force when such annexation takes place.

Increase of share of costs of annexation of territory.

6. When the agreement or award has been made a copy of the same and of the by-law, duly verified by affidavit, shall be transmitted to the Lieutenant-Governor, who may thereupon issue his proclamation withdrawing the town from the jurisdiction of the council of the county.

Proclamation separating town from county.

Office of
reeve and
deputy
reeve to
cease.

7. After the proclamation has been issued the offices of reeve and deputy reeve or deputy reeves of the town shall cease; and no by-law of the council of the county thereafter made shall have any force in the town, except so far as relates to the case of the Court House and gaol and other county property in the town; and the town shall not thereafter be liable to the county for or be obliged to pay to the county any money for county debts or other purposes, except the sums agreed upon or awarded as aforesaid.

New agree-
ment after
lapse of
five years.

8. After the lapse of five years from the time of the said agreement or award, a new agreement or award may be made to ascertain the amount to be paid by the town to the county for the purposes set out in paragraph 3 hereof, and in ascertaining such amount the same shall be based on the respective amounts of assessable property in the county as shown on the last equalized assessment roll in force at the time of such new agreement or award, and of assessable property in the said town to be ascertained and valued by the county valuator and assessor in the same manner and on the same basis as if the said town were then annexed to and formed part of the county.

Property
of county.

9. After the withdrawal of the town from the county all property theretofore owned by the county, except roads and bridges within the town, shall remain the property of the county.

Provision
for re-
union with
county.

10. The council of the town after the expiration of five years from the withdrawal may pass a by-law (to be assented to by the electors in manner provided for by *The Municipal Act* in respect of by-laws for creating debts) to reunite with the County of Ontario; the by-law shall have no effect unless ratified and confirmed within six months after the passing thereof by the council of the county and unless the terms and conditions which the town is to pay, perform or be subject to have been previously agreed upon or settled in manner following, that is to say: before the by-law is confirmed by the council of the county, the councils of the town and county shall determine by agreement the amounts of the debts of the town and county respectively which are to be paid or borne by the county after the re-union or what amount is to be payable by a special rate to be imposed upon the ratepayers of the town, over and above all other county rates, and all other matters relating to property, assets or advantages consequent upon the reunion and affecting the county or town respectively and such other terms or conditions as appear just shall be settled by such agreement; and in default of such agreement being come to within three months after the passing of the by-law by the council of the town the said matters shall be settled by arbitration as provided by *The Municipal Act*.

CHAPTER 85.

An Act respecting the City of Ottawa.

Assented to 27th April, 1916.

WHEREAS the Corporation of the City of Ottawa has ^{Preamble.} by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it has been shewn that under the special circumstances of the case it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Council of the said Corporation may provide, by ^{power to} by-laws, to be passed without obtaining the assent thereto ^{borrow} of the electors of the said city, for the borrowing, upon ^{money for} issues of debentures bearing interest at such rate or rates as ^{certain pur-} the said Council may determine, and payable in twenty ^{poses with-} years from the date thereof, of sums of money not exceeding ^{out assent} the following, for the following purposes:— ^{of electors} ^{on 20-year} ^{debentures.}

- (a) \$25,000 to provide for the Corporation's share of the cost of completing the new bridge across the Rideau River at the southerly terminus of Bank Street, authorized by clause (d) of section 4 of chapter 83 of the Acts passed in the fourth year of the reign of His Majesty King George the Fifth;
- (b) \$5,000 to provide for the cost of completing the trunk sewer to serve the north-east section of Rideau Ward, authorized by clause (f) of section 4 of chapter 83 of the Acts passed in the fourth year of the said reign;
- (c) \$12,000 to provide for the cost of completing the public lavatories authorized by section 10 of chapter 114 of the Acts passed in the second year of the said reign;

(d)

- (d) \$65,000 to provide for the discount on the sale of the debentures issued under By-laws Numbers 3733, 3734, 3992, 4005, 4023, 4024, 4025, 4026, 4066, 4067 and 4086 of the Corporation;
- (e) \$15,000 to provide for the cost of constructing a workshop at the Corporation yard on Chamberlain Avenue, and for the purchase of machinery for use therein;
- (f) \$10,000 to provide for the cost of constructing an addition to the Isolation Hospital in the said city;
- (g) \$15,000 to provide for the cost of altering the sidewalks and for making certain repairs to the roadway in the Bank Street subway.

Power to borrow \$20,000 for septic tank site, etc.

2. The Council of the said Corporation may provide, by by-law, to be passed without obtaining the assent thereto of the electors of the said city, for the borrowing upon an issue of debentures bearing interest at such rate as the said Council may determine, and payable in thirty years from the date thereof, of a sum of money not exceeding \$20,000 to provide for the cost of acquiring the septic tank site, and of completing the main drainage system authorized by section 9 of chapter 98 of the Acts passed in the first year of the reign of His Majesty King George the Fifth.

Power to borrow money for certain purposes without assent of electors on 30-year debentures.

3. The Council of the said Corporation may provide, by by-law, to be passed without obtaining the assent thereto of the electors of the said city, for the borrowing upon issues of debentures bearing interest at such rate or rates as the said Corporation may determine and payable in thirty years from the date thereof, of sums of money not exceeding the following for the following purposes:—

- (a) \$5,000 to provide for the cost of acquiring Bell Island and a portion of Lemieux Island in the Ottawa River, as a site for the Corporation water works;
- (b) \$40,000 to provide for the cost of water main extensions and new services constructed during the year 1915;
- (c) \$12,000 to provide for the cost of the new water distribution main on Bank Street;
- (d) \$85,000 to provide for expenditures to be made on the new overland water supply system in excess of the borrowing authorized by section 11 of chapter

chapter 63 of the Acts passed in the fifth year of the reign of His Majesty King George the Fifth, and to provide for the discount on the debentures sold for such purpose.

4. For the payment of the debt and interest represented by the debentures issued and to be issued under the authority of section 11 of chapter 63 of the Acts passed in the fifth year of the reign of His Majesty King George the Fifth, and to be issued under the authority of the immediately preceding section hereof, there shall be annually raised by the said Corporation during the currency of the said debentures, with the authority conferred upon the said Corporation in and by the Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and entitled *An Act for the Construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and the cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore authorized to be contracted against the said water rates, but if at any time the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said Corporation by a special rate upon the assessable property of the said Corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

5.—(1) Section 3 of chapter 78 of the Acts passed in the forty-second year of the reign of Her late Majesty Queen Victoria, entitled *An Act respecting the Water Works of the City of Ottawa*, is repealed.

(2) Subsection (1) of section 1 of chapter 109 of the Acts passed in the third and fourth years of the reign of His Majesty King George the Fifth, entitled *An Act respecting the City of Ottawa*, is repealed; and

(3) Subsection (2) of the said section 1 is amended by striking out the words "the said Board and the members thereof and," in the fifth and sixth lines thereof.

(4) The control, management and maintenance of the waterworks of the said city and of all buildings, material, machinery, land, water and appurtenances thereunto belonging is hereby vested in the Board of Control of the said Corporation, which shall attend to and discharge, subject to the approval

Raising
yearly sum
from water
rates to
meet debt
and interest.

42 Vic. c.
78, s. 3 re-
pealed.

3-4 Geo. V.,
c. 109, s. 1,
subs. 1
repealed.

Subs. 2
amended.

Management
and control
of water
works
vested in
Board of
Control.

approval and according to the directions of the Council of the said Corporation, all the duties required by an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and entitled *An Act for the Construction of Water Works for the City of Ottawa*, or under any Act or Acts passed in amendment thereof, to be attended to or discharged by the Water Commissioners in the said Acts mentioned.

Submission
of question
to electors.

(5) The Council of the said Corporation shall forthwith submit to a vote of the electors of the said City in the manner provided by *The Municipal Act* the following question:—
“Are you in favor of the abolition of the Water Works Committee and of its powers being transferred to the Board of Control?”

Proclama-
tion bring-
ing section
into force.

(6) Subsections 1 to 4 of this section shall not come into force or take effect unless a majority of the electors voting upon the said question vote in the affirmative, and if a majority of the electors so voting vote in the affirmative the said subsections shall come into force and take effect from and after a date to be named by proclamation of the Lieutenant-Governor in Council.

By-law 4122
confirmed.

6. By-law Number 4122 of the City of Ottawa, set out in Schedule “A” hereto, and all debentures issued or to be issued thereunder, and all rates and assessments made or to be made, for the payment thereof are validated and confirmed.

By-law 3980
and agree-
ment with
Ottawa
Police Bene-
fit Fund
Assoc.
confirmed.

7. By-law Number 3980 of the said city, set out in Schedule “B” hereto, and the agreement between the said Corporation and the Trustees of the Ottawa Police Benefit Fund Association, set out in Schedule “C” hereto, are validated and confirmed.

Special rate
for water
used in
manufactur-
ing artificial
ice.

8. The Council of said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said city, for fixing a special water rate or price to be paid by all persons taking a supply of water from the waterworks of the Corporation, for use in manufacturing artificial ice from distilled water, which rate or price may be less than that paid by others for a like quantity of water, and may also be less than the cost to the said Corporation of procuring, pumping and distributing the said water and of defraying all other charges incident thereto, and every such rate may be assessed and collected in like manner and with like remedies as are provided by an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, intituled *An Act for*
the

the Construction of Water Works for the City of Ottawa, and in any Act or Acts passed in amendment thereof, and the said Council may from time to time vary or cancel every such special water rate.

9. The Council of the said Corporation may provide by by-law to be passed without obtaining the assent thereto of the electors of the said city, for borrowing upon an issue of debentures payable in fifteen years from the date thereof and bearing interest at such rate as the Council may determine, a sum of money not exceeding \$14,000.00 for the purpose of constructing an asphalt pavement on that part of Dalhousie Street between Rideau and George Street, recently acquired by the Corporation; should the construction of said pavement be proceeded with the cost thereof shall be specially assessed upon the lands assessed for the widening of the said portion of Dalhousie Street in the same proportion as they are assessed for the cost of the said widening.

SCHEDULE "A."

By-Law No. 4122.

A By-law to authorize the construction of an Intercepting Trunk Sewer to serve the south and south-eastern sections of the City of Ottawa, and to authorize the issue of debentures of the said city to the amount of \$315,000 to provide for the cost of the same.

Whereas it is necessary to supply increased drainage facilities for the south and south-eastern sections of the City of Ottawa and for such purpose to construct an Intercepting Circular Trunk Sewer from the existing outlet of the Ottawa South Drainage System, thence following the northerly shore of the Rideau River to a point of discharge into the existing main sewer on Somerset Street East;

And whereas a Report in writing upon the said proposed work and plans and estimates of the cost thereof have been prepared for the Corporation by Messrs. R. S. and W. S. Lea, which Report is dated September 20th, 1915;

And whereas the Council of the said Corporation has approved of the construction of the said sewer along the route designated "B" in the said Report and upon the plans annexed thereto;

And whereas the said Report and the said plans and estimates have been submitted to and have been approved of by the Provincial Board of Health, which approval has been certified under the hand of the Chairman and Secretary of the said Board under date of the 10th day of December, 1915;

And whereas the total cost of constructing the said sewer upon the said route and of acquiring the necessary easements or right-of-way in connection therewith is estimated to be \$315,000;

And

And whereas it is expedient to borrow the said sum of \$315,000 to provide for the cost of the said sewer by issuing debentures of the City of Ottawa for the sum of \$315,000, bearing interest at the rate of five and one-half ($5\frac{1}{2}$) per centum per annum, as hereinafter provided (which is the debt intended to be created by this by-law) the proceeds of the said debentures to be applied to the said purpose and to no other;

And whereas it is expedient to make the principal of the said debentures repayable in yearly sums during the period of thirty (30) years from their date of issue of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$21,673.70, during a period of thirty (30) years for the payment of the said yearly sums of principal and interest as they shall become due;

And whereas the amount of the whole rateable property of the said Corporation according to the last revised Assessment Roll is \$105,107,168.00:

And whereas the amount of the existing debenture debt of the said city, exclusive of local improvement debts, which are secured by special rates and assessments is \$11,700,113.35, and no part of the principal or interest thereof is in arrear;

Therefore, the Municipal Council of the Corporation of the City of Ottawa enacts as follows:—

1. The Corporation shall construct and lay down an Intercepting Trunk Sewer from the existing outlet of the Ottawa South Drainage System, thence following the northerly shore of the Rideau River to a point of discharge into the existing sewer on Somerset Street East, the whole to be constructed in accordance with the report, plans and specifications prepared by Messrs. R. S. and W. S. Lea, dated the 20th day of September, 1915, and upon the route "B" as outlined in the said Report, and upon the plans annexed thereto.

2. For the purpose of raising the said sum of \$315,000.00, there shall be borrowed upon the credit of the Corporation at large the sum of \$315,000.00, by the issue of debentures of the said Corporation of a like amount, such debentures to be issued in sums of \$100 or £20 sterling each and bearing interest at the rate of five and one-half ($5\frac{1}{2}$) per centum per annum, and having coupons attached thereto for the payment of interest semi-annually, which coupons shall be signed by the Treasurer, whose signature may be written, stamped, lithographed or engraved thereon.

3. The said debentures shall bear the same date and shall be dated and issued within two (2) years after the date upon which this by-law is finally passed and may bear any date within such two (2) years and shall be payable within thirty (30) years from the date thereof, together with interest at the rate of five and one-half ($5\frac{1}{2}$) per centum per annum at the times and in the manner shown on the following schedule, and the respective amounts of principal and interest payable in each year shall be as follows:—

SCHEDULE.

Years to run.	Date when payable.	Amount of principal payable.	Amount of interest payable.	Total.
1.....	1917	\$4,348 70	\$17,325 00	\$21,673 70
2.....	1918	4,588 00	17,085 70	21,673 70
3.....	1919	4,840 33	16,833 37	21,673 70
4.....	1920	5,106 54	16,567 16	21,673 70
5.....	1921	5,387 39	16,286 31	21,673 70
6.....	1922	5,683 68	15,990 02	21,673 70
7.....	1923	5,996 27	15,677 43	21,673 70
8.....	1924	6,326 05	15,347 65	21,673 70
9.....	1925	6,673 97	14,999 73	21,673 70
10.....	1926	7,041 03	14,632 67	21,673 70
11.....	1927	7,428 27	14,245 43	21,673 70
12.....	1928	7,836 81	13,836 89	21,673 70
13.....	1929	8,267 82	13,405 88	21,673 70
14.....	1930	8,722 54	12,951 16	21,673 70
15.....	1931	9,202 27	12,471 43	21,673 70
16.....	1932	9,708 38	11,965 32	21,673 70
17.....	1933	10,242 33	11,431 37	21,673 70
18.....	1934	10,805 65	10,868 05	21,673 70
19.....	1935	11,399 95	10,273 75	21,673 70
20.....	1936	12,026 94	9,646 76	21,673 70
21.....	1937	12,688 41	8,985 29	21,673 70
22.....	1938	13,386 26	8,287 44	21,673 70
23.....	1939	14,122 49	7,551 21	21,673 70
24.....	1940	14,899 21	6,774 49	21,673 70
25.....	1941	15,718 65	5,955 05	21,673 70
26.....	1942	16,583 16	5,090 54	21,673 70
27.....	1943	17,495 22	4,178 48	21,673 70
28.....	1944	18,457 45	3,216 25	21,673 70
29.....	1945	19,472 60	2,201 10	21,673 70
30.....	1946	20,543 63	1,130 07	21,673 70
		\$315,000 00	\$335,211 00	

4. The debentures as to both principal and interest may be expressed in Canadian currency or sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-thirds cents, and may be payable at any place or places in Canada, Great Britain or the United States of America, in gold coin of, or equivalent to the standard weight and fineness fixed for gold coins at this date by the laws of the United States of America.

5. Each of the said debentures shall be signed by the Mayor of the Corporation or by some other person authorized by by-law to sign the same, and also by the Treasurer thereof, and shall be sealed with the Seal of the Corporation.

6. During the currency of the debentures there shall be raised annually by a special rate on all rateable property in the City of Ottawa for the payment of the said debt and interest thereon, the sum of \$21,673.70.

7. This by-law shall take effect on the day of the final passing thereof.

Given under the Corporate Seal of the City of Ottawa, this 7th day of February, A.D. 1916.

Certified:

(Sgd.) NORMAN H. H. LETT, *City Clerk.*

(Sgd.) NELSON D. PORTER, *Mayor.*

SCHEDULE

SCHEDULE "B."

By-LAW No. 3980.

A by-law to provide for the payment of an annual contribution of \$4,000 by the Corporation of the City of Ottawa towards the Superannuation and Benefit Fund of the Ottawa Police Benefit Fund Association.

Whereas the Police Force of the City of Ottawa have established and maintain with the approval and consent of the Board of Commissioners of Police of the said city, a Police Benefit Fund Association for the purpose of providing for the payment of superannuation and benefit allowances to the members of the said Police Force, in accordance with the By-laws of the said Association;

And whereas the Corporation is authorized by *The Municipal Act* to grant aid towards the establishment and maintenance of a fund, having such objects;

And whereas the Board of Commissioners of Police of the said city have requested the Council of the said Corporation to grant and to pay over to the said Association the sum of \$4,000 annually for a term of ten (10) years for the purposes thereof; and whereas it is expedient to comply with the said request;

Therefore, the Municipal Council of the Corporation of the City of Ottawa enacts as follows:—

1. The Treasurer of the said City for the time being shall for a period of ten (10) years from the date of the coming into force of this by-law, pay over annually to the Board of Trustees of the Ottawa Police Benefit Fund Association the sum of \$4,000 by way of aid to the Superannuation and Benefit Fund of the said Association.

2. The first of such payments shall be made on the 1st day of the month of January, 1916, and succeeding payments at yearly intervals thereafter, until the full number of payments shall have been made.

3. This by-law shall come into force and effect on the date of the final passing thereof.

Given under the Corporate Seal of the City of Ottawa, this 3rd day of May, A.D., 1915.

Certified:

(Sgd.) NORMAN H. H. LETT, *City Clerk.*

(Sgd.) NELSON D. PORTER, *Mayor.*

SCHEDULE "C."

Memorandum of Agreement made in duplicate this twentieth day of March, A.D. 1916.

Between:

Alexander Ross, Chief of Police; Joseph Gilhooly, Deputy Chief; William S. Bunting, Inspector; Michael Power, Constable; George Finlay, Constable, all of the City of Ottawa, in the County of Carleton, the Trustees and Managing Officers of The

Ottawa

Ottawa Police Benefit Fund Association, and the said Ottawa Police Benefit Fund Association, hereinafter referred to as the "Association," of the first part;

and

The Municipal Corporation of the City of Ottawa (hereinafter referred to as the "Corporation"), of the second part;

Whereas the Association has established a Superannuation and Benefit Fund for the purpose of providing for the payment of superannuation allowances to be paid the members of the Police Force of the City of Ottawa, on the retirement of such members from the said force, by reason of incapacity or through illness, disability or old age, and for the payment of benefit allowances upon the total or partial disability of such members, and a schedule of payments to be made the said members, in the manner, to the amounts and upon the conditions provided by the by-laws of the Association;

And whereas the Association has requested the Corporation to contribute annually for a period of ten (10) years from the 1st day of January, 1916, to the funds of the Association, the sum of four thousand dollars (\$4,000);

And whereas the Council of the Corporation has agreed to contribute the said sum annually for a period of ten (10) years upon the conditions and subject to the terms hereinafter set out;

Now, therefore, this Agreement witnesseth that:—

1. The Corporation will annually contribute and pay over to the Board of Trustees of the Association by way of aid to the Superannuation and Benefit Fund of the Association, in each year for a period of ten (10) years from and after the 1st day of January, 1916, in accordance with the provisions of By-law Number 3980 of the Corporation, the sum of four thousand dollars (\$4,000).

2. The Association and the said Trustees as well on behalf of themselves as of their successors in office, do hereby in consideration of the said grant, covenant and agree with the Corporation and its successors as follows:—

(a) Whenever and so often as any member of the Association or any member of the family of such member or any one dependent upon him- ("member of the family" and "dependent" having the meanings respectively attached to such words in section 2 of *The Workmen's Compensation Act*) shall recover or be awarded under the provisions of *The Workmen's Compensation Act* or under any Act or Acts amending the same, any sum of money as compensation for any accident resulting in the death or disability of such member which the Corporation is liable to pay under the provisions of the said Act, then, so often and in like manner as such compensation shall become payable by the Corporation to such member, the Association will, in every such case, to the extent to which every such member would but for the provisions of this Agreement be entitled to rank upon the said fund, pay over to the Corporation to be applied towards the payment of such compensation such sum as would otherwise be payable to such member out of the said fund in accordance with the by-laws of the Association;

(b) That they will provide by by-law of the said Association, that every member thereof, and the family, dependents, executors, administrators and assigns of every such member, who shall recover compensation against the Corporation under the provisions of *The Workmen's Compensation Act*, by reason of any accident arising to him out of and in the course of his employment, shall and each of

them

them shall thereupon forfeit all right and claim which he or they otherwise might or would have against the said Association and against the funds thereof by reason of such accident.

In witness whereof the parties of the first part have hereunto set their hands and seals, and the Corporation of the City of Ottawa has hereunto affixed its Corporate Seal.

Signed, Sealed and Delivered
in the presence of

(Sgd.) ALBERT E. KNIGHT.

(Sgd.) A. M. ROSS	(Seal)
(Sgd.) JOSEPH GILHOOLY	(Seal)
(Sgd.) WM. S. BUNTING	(Seal)
(Sgd.) MICHAEL POWER	(Seal)
(Sgd.) GEORGE FINLAY	(Seal)

THE CORPORATION OF THE CITY OF OTTAWA.

(Sgd.) NELSON D. PORTER, *Mayor*.
(Sgd.) NORMAN H. H. LETT, *Clerk*.

(Seal)

CHAPTER 86.

An Act respecting the Town of Owen Sound.

Assented to 27th April, 1916.

WHEREAS the Corporation of the Town of Owen Preamble.
Sound has by petition represented that during the year 1914 the council of the said corporation, with the object of providing work for the unemployed in said town, constructed a new road through the said town to Greenwood Cemetery, the cemetery of the said municipality, at a cost of \$3,000, and also expended the sum of \$1,000 for a cement mixer to be used in roadwork undertaken for a like object; and that the said council during the years 1914 and 1915 expended the sum of \$5,270.60 in grants to officers and men enlisted from the municipality for active service with the military forces of the British Empire, during the present war, and their wives, children and dependent relatives, and proposes to expend a further sum of \$9,729.40 for like objects; and that it would be unduly burdensome to the ratepayers of the said municipality to pay the said sums of \$3,000, \$1,000, \$5,270.60 and \$9,729.40 amounting in all to the sum of \$19,000 forthwith in addition to meeting ordinary expenses; and whereas the said corporation has by said petition further represented that by By-law No. 1693 of the said town, passed by the said council, confirmed by Chapter 64 of the Acts passed in the 5th year of the reign of His Majesty King George the Fifth, the construction of a certain concrete road on the local improvement plan was authorized and that the sum of \$12,000 was subsequently borrowed therefor on debentures as provided by By-law No. 1705 of said town, which also provided for raising annually during ten years the sum of \$1,719.48 for payment of said debt and interest, of which \$802.42 is to be levied on the lands immediately benefitted thereby and \$917.06 on all the rateable property in the municipality; that at the time of the passing of the said By-law No. 1693 it was contemplated that a uniform system of constructing highways as local improvements in the said town would be adopted, but such uniform system has not been adopted and it is deemed equitable that the whole of the moneys required

to

to pay the said debt, debentures and interest thereon, should be levied on all the rateable property in the said municipality as provided by By-law No. 1755 of the said town, set out as Schedule "A" hereto; and whereas the said corporation has prayed that an Act may be passed enabling the corporation to pass a by-law or by-laws, without submitting them to or obtaining the assent of the electors of said municipality, authorizing the issue of debentures not exceeding in the aggregate the sum of \$19,000 and to be payable in not more than ten years for the purpose of paying the expenditures as above mentioned and confirming and validating the said By-law No. 1755; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority
to borrow
\$19,000 for
certain
purposes.

1. The Corporation of the Town of Owen Sound may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law authorizing the issue of debentures for an amount not exceeding \$19,000 for the following purposes, that is to say;

Construction of road to Greenwood Cemetery . . .	\$3,000.00
Purchase of concrete mixer	1,000.00
Money expended in 1914 and 1915 in grants to officers and men enlisted from the municipality for active service with the military forces of the British Empire during the present war, and their wives, children and dependents	5,270.60
Money to be expended in similar patriotic objects . .	9,729.40

and to issue debentures of the said corporation in sums of not less than \$100.00 each, the principal to be payable in ten years at the furthest from the time when such debentures are issued, and to raise and levy annually by special rate on all the rateable property in the said municipality such sum or sums as may be necessary for payment of the said debt and interest.

Purchasing
debentures
out of
sinking
fund.

2. The said corporation may purchase the said debentures out of any of its sinking funds not required for retirement of debentures until after the maturity of the debentures so purchased.

By-law
1755
confirmed.

3. By-law No. 1755 of the Town of Owen Sound intituled "A by-law respecting certain cement concrete roadways on 10th Street, Owen Sound," and set out as Schedule "A" hereto is confirmed and declared to be legal, valid and binding on the Corporation of the Town of Owen Sound and on the ratepayers thereof.

SCHEDULE

SCHEDULE "A."

BY-LAW No. 1755 OF THE TOWN OF OWEN SOUND.

A by-law respecting certain cement concrete roadways on Tenth Street, Owen Sound.

Whereas by By-law No. 1693 of the said Town of Owen Sound entitled "A By-law to authorize the construction of cement concrete roadways on Tenth Street West, from First Avenue West to Fourth Avenue West and on Tenth Street from First Avenue West to Third Avenue East," it was enacted that the said roadways should be constructed on the local improvement plan the said by-law being confirmed by the Legislative Assembly of the Province of Ontario;

And whereas the said work has been completed and the sum of \$12,000 borrowed therefor on debentures as provided by By-law No. 1705, "A By-law authorizing the issue of debentures for \$12,000 to pay for the construction of certain concrete roadways in the Town of Owen Sound and to provide for levying taxes for the payment thereof;"

And whereas for the payment of the said debt and interest the said By-law No. 1705 provides that there shall be raised annually during ten years, the currency of the said debentures, the sum of \$1,719.48, of which \$802.42 is to be levied on the lands immediately benefited by the said work and \$917.06 on all the rateable property in the municipality;

And whereas at the time of the passing of the said By-law No. 1693 it was contemplated that a uniform system of constructing highways as local improvements would be adopted in the said town;

And whereas such uniform system has not been adopted and it is deemed equitable that the whole of the said sum of \$12,000 should be levied on the whole rateable property of the municipality as other taxes;

The Municipal Council of the Corporation of the Town of Owen Sound therefore enacts as follows:—

1. That the whole of the said sum of \$1,719.48 to be raised annually for the payment of the said debt and debentures shall be levied and raised annually by a special rate sufficient therefor, over and above all other rates, on all the rateable property in the said municipality at the same time and in the same manner as other rates, instead of a portion thereof being levied on the lands immediately benefited as set out in said By-law No. 1705.

2. This by-law shall come into force and effect on the passing thereof by the Council and the ratification thereof by the said Legislature.

(Signed) JNO. MCQUAKER, *Mayor*.

(Signed) CHAS. GORDON, *Clerk*.

Council Chamber, Owen Sound, December 13th, 1915.

CHAPTER 87.

An Act respecting the City of Peterborough.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Corporation of the City of Peterborough, has by its petition, represented that it is desirable that By-law Number 1938 to aid the Campbell Flour Mills Company, Limited, by a fixed assessment of \$12,000.00 set forth as Schedule "A" hereto, and By-law Number 1946 to fix the assessment of the Grand Opera House in the City of Peterborough as set forth in Schedule "B" hereto, be ratified and confirmed; and whereas, the said Corporation has prayed that an Act may be passed for the purposes aforesaid; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-laws
Nos. 1938
and 1946,
confirmed.

1. By-law Number 1938 of the City of Peterborough, entitled "A By-law to aid the Campbell Flour Mills Company, Limited, by a fixed Assessment," which by-law is set out as Schedule "A" hereto, is hereby confirmed and declared legal, valid and binding, according to the true intent and meaning thereof, and By-law Number 1946 of the City of Peterborough, entitled "A By-law to fix the Assessment of the Grand Opera House in the City of Peterborough," which by-law is set out as Schedule "B" hereto, is hereby confirmed and declared legal, valid and binding according to the true intent and meaning thereof.

Taxes for
school or
provincial
purposes
not af-
fected.

2. Notwithstanding anything contained in the said by-laws the fixing of the said assessments as therein provided for, shall not affect or apply to taxation for school purposes, or to the raising or levying of government rates, assessments or levies, and the lands and property mentioned in the said by-laws shall for school purposes or for the purpose of raising or meeting any assessment, levies or rates required by law to be made or levied by the Corporation to pay to the Treasurer of the Province of Ontario, be assessed and be liable for taxation as though the said by-laws had not been passed.

SCHEDULE

SCHEDULE "A."

BY-LAW NUMBER 1938.

A By-law to Aid the Campbell Flour Mills Company, Limited.

Passed the Seventh Day of February, 1916.

Whereas by By-law number 1185, of the City of Peterborough, the assessment on the lands, buildings, machinery and fixtures thereon of The Central Milling Company, Limited, used exclusively for manufacturing purposes, including the business tax, was fixed at the sum of twelve thousand dollars for a period of ten years commencing on the first day of January, 1906;

And whereas said lands and premises are described as follows, that is to say: Certain lands leased for the Canadian Pacific Railway Company in the City of Peterborough, and being composed of those parts of lots numbers one and two south of Dalhousie Street and west of George Street, occupied by The Campbell Flour Mills Company, Limited, as a site for the office, mill, elevator and storehouse of the said The Campbell Flour Mills Company, Limited;

And whereas the said by-law provided that the return and oath of the assessor or assessors thereof should be amended accordingly, but that the said lands should also be liable for a frontage and local improvement assessment, rates and taxes that might be charged against the same;

And whereas said by-law further provided that in the event of the said lands and buildings ceasing to be bona fide used for the manufacturing of flour within the said term of ten years, or if the said Company should within the said term of ten years fail or neglect to carry on the said business in said premises substantially according to the capacity thereof for a period of twelve consecutive months, then such fixed assessment should cease, and the said lands, buildings, plant, machinery and fixtures should be assessed, and the said business assessment should be fixed as provided by *The Assessment Act* then in force;

And whereas the said lands and buildings were bona fide used for the manufacturing of flour from the first day of January, 1906, until on or about the fourth day of May, 1911, by the said The Central Milling Company, Limited;

And whereas on or about the fourth day of May, 1911, the said The Central Milling Company, Limited, went into liquidation, pursuant to order of the High Court of Justice;

And whereas the liquidator of the said Central Milling Company, Limited, disposed of the rights of the said Company in the lands, buildings, plant, machinery and fixtures thereon of the said The Central Milling Company, Limited, to The Campbell Milling Company, Limited, on or about the 26th day of May, 1911;

And whereas immediately thereafter The Campbell Milling Company, Limited, went into possession of the said lands, buildings, plant, machinery and fixtures, and have remained in possession ever since;

And whereas The Campbell Milling Company, Limited, since the month of August, 1911, called The Campbell Flour Mills Company, Limited, has since said date occupied said lands and buildings for the bona fide use and purpose of the manufacturing of flour;

And whereas the said The Campbell Flour Mills Company, Limited, has not only kept employed the number of employees stipulated for by the firstly recited by-law, but has largely increased
the

the number of employees thereof, and has added improvements to said buildings, plant, machinery and fixtures;

And whereas since the time The Campbell Flour Mills Company, Limited, has occupied said lands and premises it has enjoyed the privileges of a fixed assessment provided in said by-law for the said The Central Milling Company, Limited, until the year 1915;

And whereas in the year 1915, doubts were raised as to the rights of The Campbell Flour Mills Company, Limited, to enjoy the said fixed assessment;

And whereas at the request of the Council of the City of Peterborough, the said The Campbell Flour Mills Company, Limited, has paid such additional taxes for the year 1915;

And whereas the said The Campbell Flour Mills Company, Limited, has requested the City of Peterborough that the said The Campbell Flour Mills Company, Limited, may be granted the same fixed assessment as was granted to The Central Milling Company, Limited, for and during the uncompleted term fixed for the said The Central Milling Company, Limited, and that the taxes for the year 1915 paid by the Campbell Flour Mills Company, Limited, in excess of what it would have been liable to pay on the basis of such fixed assessment, be repaid and refunded to the said The Campbell Flour Mills Company, Limited, by the City of Peterborough;

And whereas it is desirable and in the public interests to accede to the said request and to pass a by-law fixing the assessment of the said The Campbell Flour Mills Company, Limited, at the sum of twelve thousand dollars for that portion of the ten-year period not enjoyed by The Central Milling Company, Limited and authorizing and empowering the Council of the City of Peterborough to refund any of said moneys paid as taxes in the year 1915, which were paid by reason of the non-enjoyment of the said fixed assessment.

The Corporation of the City of Peterborough by the Council thereof enacts as follows:

1. That this by-law shall be effective upon and only upon the confirmation thereof by the Legislature of the Province of Ontario.

2. The assessment of the lands, buildings, plant, machinery and fixtures thereof of The Campbell Flour Mills Company, Limited, used exclusively for manufacturing purposes, and upon which taxes are to be levied (or have been levied), including the business assessment thereof, shall be fixed and remain fixed for the year 1915 and be deemed to have been fixed at the sum of twelve thousand dollars for and during the year 1915, except for the purpose of levying or collecting Government rates, war taxes, or assessments required to be made or paid by the Corporation to the Government of the Province of Ontario, and the return and oath of the assessor or assessors in respect thereof shall be amended accordingly, and the said The Campbell Flour Mills Company, Limited, shall be paid by the Corporation of the City of Peterborough any moneys heretofore paid during the year 1915 for taxes upon the said lands, buildings, plant, machinery and fixtures thereon of The Campbell Flour Mills Company, Limited, by reason of the assessment of the same not having been fixed and not having remained fixed at the sum of twelve thousand dollars for the year 1915, but notwithstanding anything herein contained the said lands shall be deemed at all times heretofore and during the year 1915 liable for all frontage and local improvement assessments, rates and taxes that may have been assessed against the same, and all Government rates, assessments, levies or war taxes and assessments required by law to be made or levied by the Corporation to pay to the Treasurer of the Province of Ontario.

3. Nothing in this by-law contained shall be held or construed to affect the assessment of said property for the purpose of school rates of any kind.

(SEAL.)

J. J. DUFFUS, *Mayor*.

S. R. ARMSTRONG, *Clerk*.

SCHEDULE "B."

BY-LAW NUMBER 1946.

A By-law to Fix the Assessment of the Grand Opera House in the City of Peterborough.

Passed the Eighth day of March, A.D. 1916.

Whereas by Section 10 of Chapter 64 of the Acts passed in the fourth year of the reign of His Majesty King Edward the Seventh, the Council of the Corporation of the then Town of Peterborough were authorized by by-law to fix the assessment of any land in the said town on which an Academy of Music or Opera House might thereafter be erected, together with such portion of the buildings and erections thereon as might be and while used for the purpose of an Academy of Music or Opera House at a sum not less than the price paid for said lands for a term of ten years upon and subject to such terms, provisions and conditions as might be provided by said by-law;

And whereas pursuant to the powers by said Statute conferred upon the Council of the Corporation of the then Town of Peterborough, the said Corporation did by By-law Number 1159 of the said Town of Peterborough, passed on the fifth day of June, 1905, fix the assessment of the Opera House buildings and the lands used and enjoyed therewith and more particularly described as follows: In the City of Peterborough, in the County of Peterborough and Province of Ontario, and being composed of parts of lots numbers three and five in Block "E" on Registered Plan Number Eleven for the City of Peterborough, described as follows: Commencing at a point on the east side of George Street at the distance of forty-five feet northerly from the south-west angle of said lot number five; thence northerly along the east side of George Street sixty feet; thence easterly parallel with King Street and across said lots numbers five and three to the western limit of Water Street; thence southerly along the western limit of Water Street to a point therein where a line drawn parallel with and distant forty-five feet northerly from King Street would intersect the same and thence westerly along said line to George Street and the place of beginning, at the sum of three thousand six hundred dollars for a term of ten years from the first day of January, 1906;

And whereas the said term of said fixed assessment has come to an end;

And whereas J. J. Turner & Sons, the proprietors of said lands and premises and Opera House buildings now known as the Grand Opera House, in the City of Peterborough, have requested the Council of the Corporation of the City of Peterborough by by-law to fix the assessment of the lands and premises and the Opera House buildings erected thereon for a period of five years from the first day of January, 1916;

And whereas a portion of the said lands and premises have had stores and shops erected thereon;

And

And whereas the fixed assessment is not intended to be applicable to said stores and premises;

And whereas the lands and premises intended to have a fixed assessment are described as follows: All and singular that certain parcel or tract of land and premises situate lying and being in the City of Peterborough, in the County of Peterborough and Province of Ontario, and being composed of parts of lots numbers three and five in Block "E" on Registered Plan Number Eleven for the City of Peterborough, more particularly described as follows: Commencing at a point on the east side of George Street at the distance of forty-five feet northerly from the south-west angle of said lot number five; thence northerly along the east side of George Street sixty feet; thence easterly parallel with King Street and across said lots numbers five and three to the western limit of Water Street; thence southerly along the western limit of Water Street to a point therein where a line drawn parallel with and distant forty-five feet northerly from King Street would intersect the same, and thence westerly along said line to George Street and the place of beginning, save and except thereout any shops or stores which may now or may hereafter be erected on said lands and premises and so much of the lands and premises which may be occupied as a site by the said shops or stores;

And whereas it is desirable and in the public interest to accede to the request of J. J. Turner and Sons, the proprietors of said Grand Opera House, and to fix the assessment of the said Opera House and the lands and premises used in connection therewith as hereinbefore described, at the sum of twenty thousand dollars (\$20,000) for a period of five years from the first day of January, 1916;

And whereas it is desirable to pass a by-law for the purpose of fixing the said assessment;

The Corporation of the City of Peterborough by the Council thereof enacts as follows:

1. That this by-law shall be effective upon and only upon the confirmation thereof by the Legislature of the Province of Ontario.

2. The assessment of the lands and premises hereinbefore lastly described as the site of the Grand Opera House in the City of Peterborough, together with such portion of the buildings and erections thereon as may be used and while used for the purpose of an opera house, shall be fixed and remain fixed at the sum of twenty thousand dollars for a term of five years from the first day of January, 1916, and such sum shall for such period be regarded as the assessed value for the purpose of computing the business assessment, and the assessors and other officers making the assessment of the said lands and the erections and buildings thereon are hereby authorized to make their assessment and returns in respect thereto so as to conform to the provisions of this by-law; provided, however, that if the buildings on said lands at any time within the said period of five years shall not be used as an opera house, or the means of protecting the public from accident shall not be kept and maintained in good order and condition as shown on the sketch plan and specifications attached to said By-law Number 1159, then such fixed assessment shall cease and the said lands and buildings shall be assessed as provided by *The Assessment Act* then in force; provided, however, that so long as said Grand Opera House is used by the public, whether within or after said term of five years, all the means of entrance and exit and all other means for protecting the public against accidents by fire or otherwise set out, mentioned or described in said sketch plan and specifications, and the said fire escapes therein mentioned shall be kept and maintained in good order and condition, and the said Grand Opera House shall be maintained in conformity with the provisions of any by-law of the
said

said Corporation now in force relating to the construction of public buildings and all laws of the Province of Ontario now in force, or which may hereafter be passed, and notwithstanding anything herein contained the said Grand Opera House and the lands used and enjoyed therewith shall be deemed at all times during the said term of five years to be liable for all frontage and local improvements assessment that may be assessed against the same, and for all government rates, assessments, levies or war taxes and assessments required by law to be made or levied by the Corporation for the purpose of payment to the Treasurer of the Province of Ontario.

3. Nothing in this by-law contained shall be held or construed to affect the assessment of said property for the purpose of school rates of any kind.

(SEAL.)

J. J. DUFFUS, *Mayor*.

S. R. ARMSTRONG, *Clerk*.

CHAPTER 88.

An Act to confirm By-law No. 1206 of 1916, of the Township of Raleigh, concerning the Raleigh Plains Drain.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Corporation of the Township of Raleigh has, by Petition, represented that the Raleigh Plains Drain is a large drainage work constructed in the Township of Raleigh in or about the years 1895 and 1896 under the laws of Ontario respecting drainage and local assessment therefor at a cost of about \$60,000.00; that the said drainage work forms the outlet for the drainage of about 62,200 acres of land in the County of Kent, 2,800 acres of which are in Harwich Township, 3,400 acres in Tilbury East Township and 56,000 acres in Raleigh Township; that in the year 1914, the said drain having become out of repair, the Township of Raleigh undertook to repair the same and passed a By-law (Number 1122 of 13th April, 1914) for that purpose, thereby adopting the report and specifications of Engineer George A. McCubbin, and authorizing and directing the work of repair to be done in accordance therewith; that the estimated cost of the said work of repair was \$24,003.70; that the work, being one of repair only, the Engineer necessarily restricted his specifications to the original dimensions of the drain; that, in the year 1915, the Township of Raleigh passed a By-law (Number 1180 of 3rd May, 1915) for the purpose of raising its proportion of the said cost, namely, \$22,000.40, and levied the same upon the lands and roads liable to assessment in the same relative proportions as determined by the by-law for the original construction, spreading the same over a period of ten years; that the Township of Raleigh also duly served upon the other municipalities interested copies of its By-law Number 1122 for the purpose of collecting from the said municipalities their proportions of the said cost, namely, \$739.50 from the Township of Tilbury East, and \$1,263.80 from the Township of Harwich; that the work of repair consists entirely of dredge work and bridge construction, and the Township let the contracts to a reliable contractor in the month

month of August, 1914, and the said contractor has proceeded with the work, and now has a large part of the excavation satisfactorily done and has completed the excavation from the head of the work some three miles down the course of the drain and to within a few rods of where the drain is crossed by the 4th Concession Road; that many of the ratepayers of the Township of Raleigh have recently represented to the Council that a departure should be made from the original dimensions of the drain and that the same should be widened ten feet from the 4th Concession Road down to the Drake Road, and that from the Drake Road to the Town Line between Raleigh and Tilbury instead of doing the work in the bottom of the drain as specified in By-law 1122 (thereby confining the work within the original dimensions of the drain), the drain should be widened twenty-five feet, and that said ratepayers have requested the Township of Raleigh to vary the work accordingly; that the Council of the Township having carefully considered the said representations are of the opinion that the proposed changes are desirable, and that the request of the ratepayers should be granted; that the proposed changes can be made now at comparatively small expense owing to the contractor being now engaged upon the work with his machinery, and that the contractor has offered to do the widening of twenty-five feet, instead of the repair work in the bottom of the drain above mentioned, without any extra charge to the Township; that the Township has, therefore, passed a By-law, being By-law Number 1206, passed the 27th day of March, 1916, authorizing and directing the proposed changes to be made and providing for the raising of the funds necessary for the extra expense that will be incurred, but the Township is advised that such By-law may not be acted upon until confirmed by an Act of the Legislature; and whereas the said Corporation has prayed that an Act may be passed confirming the said By-law and for the other purposes hereinafter mentioned; and whereas it is expedient to grant the prayer of the said Petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said By-law of the Township of Raleigh, being ^{By-law No. 1206 of 1916} By-law Number 1206 of 1916, of the said Township, set ^{confirmed.} forth in the Schedule "A" hereto, and the report and assessment therein set forth, are hereby validated and confirmed.

2. The debentures to be issued by the said Township ^{Debentures valid and binding.} under the said By-law to provide the money necessary for the works authorized by the said By-law shall be valid and binding

binding upon the Township to their full face value, both for principal and interest.

Levies and
collections
to be valid.

3. All levies and collections made upon the authority of the said By-law shall be deemed to be valid and lawful.

Application
of pro-
visions of
Rev. Stat.
c. 198.

4. The provisions of *The Municipal Drainage Act* shall apply with regard to the work done under the said By-law to the same extent as if the said work had been lawfully done under the provisions of Section 72 of the said Act.

Cost and
expenses
how
charged.

5. The costs and expenses in connection with the said By-law and with the application for and the passing of this Act shall be chargeable to the drainage area and may be added to and collected along with the costs of the works authorized by the By-law hereby validated.

SCHEDULE "A."

BY-LAW NUMBER 1206 OF THE TOWNSHIP OF RALEIGH.

FINALLY PASSED THE 27TH DAY OF MARCH, 1916.

Whereas the Raleigh Plains Drain was constructed under By-law Number 641 of the Township of Raleigh, passed the 17th day of June, 1895, in pursuance of the Drainage Laws of Ontario and at the cost of lands and roads in the Townships of Raleigh, Tilbury East and Harwich, in the County of Kent;

And whereas it is the duty of the Township of Raleigh, under the Statutes in that behalf, to keep the said drainage work in repair from the head of the drain, in the Township of Raleigh, to the Town Line between the Townships of Tilbury East and Raleigh, which is nearly the whole of the drainage work;

And whereas the said drainage work became out of repair, and in the year 1914 the said Township undertook a work of repair of the said drain in accordance with the report, plans and specifications of one George A. McCubbin, Esquire, Civil Engineer, which said report, plans and specifications were adopted and the work authorized to be done by By-law Number 1122 of the Township of Raleigh, passed the 13th day of April, 1914;

And whereas the estimated cost of the said work of repair was \$24,003.70, of which the proportion to be contributed by the Township of Raleigh was \$22,000.40, that by Tilbury East \$739.50, and that by Harwich \$1,263.80;

And whereas, under the said By-law Number 1122 and under By-law Number 1180 of the Township of Raleigh, passed the 3rd day of May, 1915, the said Township of Raleigh undertook the said work of repair, and the assessment, levy and collection of the rates necessary to raise the cost of the same, such assessment being a pro rata assessment over the whole drainage area in the same relative proportions as the assessment for the original construction;

And whereas the contracts for the work have been let and a large part of the excavation has now been done;

And whereas a great many ratepayers in the Township of Raleigh have represented to the Council that while the contractor is at work an improvement should be made in the drain by widening the same ten feet from the west side of the 4th Concession Road to the Drake Road, and have also requested the Council to depart from the specifications adopted by said By-law Number 1122 and to widen the drain below the Drake Road to the Raleigh and Tilbury Town Line twenty-five feet, instead of doing the repair work in the bottom of the drain as provided for by the said report and By-law Number 1122, which work will also necessitate the widening of the bridge and other expense;

And whereas the Council is of the opinion that the wishes of the ratepayers in this behalf should be complied with and has submitted the matter to the Engineer, whose report in respect to the matter is as follows:—

"Chatham, Ontario, March 24th, 1916.

"To the Reeve and Council of the
Township of Raleigh.

"Gentlemen,—

"Acting on instructions received through your Township Solicitor, I have carefully considered the proposals which have been made to vary the specifications for the repair of the Raleigh Plains Drain. Those specifications, dated November 25th, 1913, and prepared

pared under the directions of the Council of 1913, provided for repairs which were limited strictly to the original dimensions of the drain as constructed some twenty years ago.

"The first proposal is that from the Drake Road to the Town Line the repair work in the bottom of the drain for about two-thirds of its width on the northerly side of the drain be abandoned and that repairs in the bottom be made for about one-third of the width along the southerly side and that a widening of twenty-five feet in the drain be made along the southerly bank. This solid excavation of twenty-five feet to be made on the southerly side of the drain will be of much greater benefit to the drain than the trifling repairs in the bottom which would be required to restore the drain to its original dimensions, and, as the contractor is willing to do this widening on the bank instead of the repairs in the bottom and without additional charge for excavation, it seems a decided advantage to the drainage work and to the ratepayers to take advantage of this opportunity. There will be some additional cost for the twenty-five foot strip of land taken for widening the drain, also for additional damages to lands and crops caused by the disposal of a greater quantity of excavated material and for the lengthening of a highway bridge on the road between Concessions 3 and 4.

"The second proposal is that the drain be widened ten feet from the Drake Road to the road between Concessions 4 and 5, this widening to be done as an improvement additional to the work of repairing this portion of the drain to its original dimensions. It is stated that the contractor, who is using a drag-line excavator, is willing to do this additional work at the rate of ten cents per cubic yard if he is allowed to handle it in connection with the repair work, but that such excavation could not be made otherwise at the same price. The drain, after a work of repair, would not have the capacity which it should have, and a work of improvement is undoubtedly needed.

"If the proposed changes are made in the work, the additional cost would be about \$4,000.00, made up as follows:—

"For additional land taken by widening	\$900 00
"For additional damages to lands and crops caused by disposal of material from the drain	400 00
"For lengthening highway bridge at 3-4 Concession Road..	1,000 00
"For additional excavation due to 10-foot widening from Drake Road to 4-5 Concession Road	1,700 00

"The above \$4,000.00, if levied against the municipalities assessed for the original construction of the Raleigh Plains Drain and in the same relative proportions will be distributed as follows:—

"Township of Raleigh	\$3,740 38
"Township of Harwich	179 75
"Township of Tilbury East	79 87

"I have the honour to be, Gentlemen,

"Your obedient servant,

"GEO. A. McCUBBIN, O.L.S., C.E."

BE IT, THEREFORE, ENACTED BY THE MUNICIPAL COUNCIL OF THE
TOWNSHIP OF RALEIGH:

1. That the foregoing report be and the same is hereby adopted.

2. That the variations and changes from the specifications, as adopted by By-law Number 1122 and as approved by the Engineer in the foregoing report, be and the same are hereby authorized, and the Commissioners appointed by the Township upon the Raleigh Plains Drain are hereby authorized and instructed to have such changes and variations made.

3. That the Reeve of the said Township may borrow on the credit of the Corporation of the said Township the sum of \$3,740.38, being the said Township's proportion of the funds necessary for the said work, and may issue debentures of the Corporation to that amount in sums of not less than One Hundred Dollars each, and payable within ten years from the date of the said debentures, with interest at the rate of six per centum per annum in manner following, that is to say:—In ten consecutive, annual instalments of such amounts (without combining the principal and interest), that, with the interest in respect of the debt payable annually, the aggregate amount payable for principal and interest in each year shall be, as nearly as possible, the same; such debentures to be payable at the Branch of the Molsons Bank at the Village of Merlin, in the Township of Raleigh, and to have attached to them coupons for the payment of interest.

4. For paying the sum of \$3,167.61, being the proportion of the said sum chargeable against the lands in the said Township for the said works (apart from the lands and roads belonging to or controlled by the municipality), and for covering interest thereon for ten years at the rate of six per centum per annum, a special rate, over and above all other rates, shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected), upon and from the lots and parts of lots assessed for original construction by By-law Number 641 above mentioned, and the amount of the said total special rates and interest against each lot or part of lot respectively shall be divided into ten equal parts and one such part shall be assessed, levied and collected as aforesaid in each year for ten years after the final passing of this By-law during which the said debentures have to run, maintaining throughout, in the said assessment, levy and collection, the same relative proportions as those determined by the report and assessment for original construction, namely, the report and assessment set forth in said By-law Number 641.

5. For paying the sum of \$572.77, being the proportion chargeable against the said lands and roads in the municipality, in accordance with and in the proportions determined by the said original report and assessment and for covering interest thereon for ten years at the rate of six per centum per annum, a special rate on the dollar sufficient to produce the required yearly amount therefor shall, over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected), upon and from the whole taxable property in the said Township of Raleigh in each year for ten years after the final passing of this By-law during which the said debentures have to run.

6. That this By-law shall be deemed to be an amending By-law to By-laws 1122 and 1180 above referred to and the works hereby authorized works of repair as though undertaken pursuant to and authorized by Section 72 of *The Municipal Drainage Act*.

7. This By-law shall not come into force nor take effect until approved of by the Legislature of the Province of Ontario.

(Sgd.) L. A. PARDO,
Reeve.

(Sgd.) A. E. ROBINSON,
Clerk.

Seal.

CHAPTER 89.

An Act respecting the City of St. Catharines.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Corporation of the City of St. Catharines has by its petition represented that under the provisions of an Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 66, and of the Corporation's By-law Number 2765, the Corporation has constructed a High Level Bridge over the old Welland Canal in the said City of St. Catharines, the total cost of which, and of the lands acquired for the approaches to the said Bridge, is the sum of \$330,000, towards meeting which cost the sum of \$220,000 has been provided by the Corporation, and it is necessary to make immediate provision to raise the sum of \$110,000 to complete payment for the said bridge and lands; and that out of the lands acquired for the approaches to the said bridge the Corporation has available for sale and intends to dispose of those portions thereof not actually required for the said bridge, and which it is anticipated will eventually realize to the Corporation a sum sufficient to meet the said amount for which provision has not yet been made; and whereas the Corporation has by its petition prayed that, pending the sale of the said lands, and in order to meet the payment of the said sum of \$110,000 the Corporation be empowered to issue its debentures for the said sum of \$110,000 towards redemption of which all moneys received from sales of the said lands shall be applied; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of St. Catharines Act, 1916.*

Power to
borrow
\$110,000 for
high level
bridge over
old Welland
Canal.

2. It shall be lawful for the Corporation of the City of St. Catharines to pass a By-law authorizing the issue of debentures to the amount of \$110,000 for the purpose of paying the balance of the indebtedness of the said Corporation incurred

curred or caused by reason of the construction of the said High Level Bridge over the old Welland Canal in the said City of St. Catharines and of acquiring lands for the approaches thereto. The said debentures shall mature at a period not more than ten years from the date thereof and shall bear interest at a rate not exceeding five and one-quarter per centum per annum and may be made payable at any place in Canada or Great Britain, and it shall not be necessary to submit the said By-law for the votes of the electors of the City of St. Catharines.

3. All moneys realized and received by the Corporation of the City of St. Catharines from the sale of any or all of the lands so acquired for the purposes of the said Bridge or of the approaches thereto shall be first applied in or towards redemption of the said debentures and shall not be used or applied for any other purpose until the said debentures shall have been fully redeemed and paid.

Application of proceeds of sale of certain lands.

4. In calculating the amount of the indebtedness of the said City Corporation for the purpose of ascertaining if the limit of its borrowing power as fixed by section 16 of *The City of St. Catharines Debt Consolidation Act, 1893*, has been reached, the amount of the debt created under the authority of this Act shall not be reckoned as part of such indebtedness but shall be excluded in computing the same.

Limit of borrowing powers not affected.

CHAPTER 90.

An Act respecting the Town of Sandwich.

Assented to 27th April, 1916.

WHEREAS the Municipal Corporation of the Town of Sandwich has by petition represented that a large number of its population are employed in the City of Detroit where it is impossible for the voters to obtain leave from their work for the purpose of voting before the hour of five o'clock in the afternoon and that it is desirable that the polls should be kept open until seven o'clock; and whereas the said corporation has further represented that the Town of Sandwich did pass by-laws numbers 458, 485, 492 and 535 for sewers on Peter Street and Soper Avenue, and pavements on Sunset Avenue, and whereas the losses on the sales of debentures issued under said by-laws were as follows: \$690.00, \$916.00, \$858.00, \$253.00 respectively; and whereas by-laws 584, 585, 586 and 587 were passed for the purpose of raising money to pay the said losses on the debentures, and by-law 588 was passed for the purpose of consolidating the debentures to be issued under said by-laws 584, 585, 586 and 587 into one sum of two thousand seven hundred and seventeen dollars, pursuant to the direction of the Auditor appointed by the Government of Ontario who, after an examination of the books and an inquiry into the facts has recommended that the said loss should be defrayed by borrowing money by the issue of debentures and it is desirable to confirm the said by-laws; and whereas the said Corporation has prayed that an Act may be passed for these purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Council of the Corporation of the Town of Sandwich may by by-law passed before the 15th day of November in any year extend the time to keep open the polls at all municipal elections held thereafter until seven o'clock in the afternoon of the day of election notwithstanding anything contained in *The Municipal Act*.

Time for
polling.Rev. Stat.
c. 192.

Confirma-
tion of
certain
by-laws.

2. By-laws numbered 584, 585, 586, 587 and 588 of the Town of Sandwich to provide for the raising of the sum of two thousand seven hundred and seventeen dollars by the issue of debentures and specified in Schedule "A" hereto, and the debentures issued or to be issued under said by-laws as consolidated in said by-law 588 and the rates and assessments to be made for the payment of any sums contained in such by-laws are hereby declared to be legal, valid and binding.

SCHEDULE "A."

No. of By-law.	When passed.	Nature of work.	Situation of work.	Amount of Loan.
586	Dec. 9th, 1915	Pavements and curbs	Main St.	\$916 00
585	Dec. 9th, 1915	Pavement	Sunset Ave.	253 00
584	Dec. 9th, 1915	Sewer	Peter St.	690 00
587	Dec. 9th, 1915	Sewer	Soper Ave.	-858 00
588	Dec. 9th, 1915	Consolidation of By-laws 584, 585, 586, 587		2,717 00

CHAPTER 91.

An Act to confirm By-law No. 819 of the City
of Sarnia.

Assented to 27th April, 1916.

Preamble.

Rev. Stat.
c. 192.

WHEREAS the Perfection Stove Co., Limited, has by petition represented that on the eighth day of September, 1913, the council of the City of Sarnia passed the first and second readings of a by-law entitled "A By-law to fix the Assessment of the 'Perfection Stove Co., Limited,' at the sum of \$25,000 for twenty years on certain conditions," which said by-law is set out in Schedule "A" hereto; that the said by-law was duly submitted to the electors of the said city as required by *The Municipal Act* with respect to bonuses to manufacturers, when 1,106 electors voted for the by-law and 32 electors voted against the said by-law; that on the third day of November, 1913, the council of the said City of Sarnia finally passed the said by-law by a three-quarter vote of all the members of the said council; and whereas the said company has by petition prayed that an Act may be passed to confirm and validate the said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Confirma-
tion of By-
law 819 fix-
ing assess-
ment of
Perfection
Stove Co.,
Ltd.

1. Subject to section 2, By-law Number 819, of the Corporation of the City of Sarnia, entitled "A By-law to fix the Assessment of the 'Perfection Stove Co., Limited,' at the sum of \$25,000 for twenty years on certain conditions," finally passed on the third day of November, 1913, and as set out in Schedule "A" hereto, is hereby confirmed, and declared to be legal, valid and binding upon the said Corporation of the City of Sarnia and the ratepayers thereof and upon all parties affected thereby, notwithstanding any want of jurisdiction on the part of the said council to pass the said by-law, and notwithstanding any defect in substance or form of the said by-law or in the manner of passing the same

same, and the said corporation of the City of Sarnia and the company are hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

2. Nothing contained in the said by-law shall affect taxes for school purposes, but the whole amount of such taxes reckoned on the full assessable value of the property of the company under *The Assessment Act* shall be paid out of the aggregate rates of the corporation levied on the assessment provided for by the said by-law, and if in any year such aggregate rates so levied do not produce an amount sufficient to pay in full taxes for school purposes so reckoned, the company shall pay the deficiency.

School
taxes not
affected.

Rev. Stat.
c. 195.

SCHEDULE "A."

By-Law No. 819.

A By-law to fix the assessment of the "Perfection Stove Co., Limited" at the sum of \$25,000 for twenty years on certain conditions.

Whereas the "Perfection Stove Co., Limited" is purchasing that portion of lot number forty-four (44) in the River Range, formerly in the Indian Reserve, but now in the Town of Sarnia, in the County of Lambton, on the south side of Clifford Street, which extends from the eastern boundary of the track allowance of the Pere Marquette Railway Company to the western limit of Christina Street extended southerly;

And whereas the assessment of the said property is at present about \$1,300.00;

And whereas the said company has without bonus or other assistance from the Town of Sarnia undertaken to commence the construction of a plant for the manufacture of oil stoves, etc., upon the understanding that the property of the said company shall be partially exempt from taxation;

And whereas the said company has represented to the Town of Sarnia that save as hereinafter specified the said company, its successors and assigns will, after the completion of its plant, operate the said manufactory continuously and will employ daily at least seventy-five hands;

Now therefore the Municipal Council of the Town of Sarnia enacts as follows:—

1. That the annual assessment of all the real and personal property of the said company, held and used for the purposes of its said manufactory, and not for any other purpose, shall for all purposes whatsoever, be fixed at the sum of \$25,000.00 for a period of twenty years from and inclusive of the first day of January, 1914.

2. Should the said company fail in any year during the said term to operate the said manufactory for a period of more than six consecutive months or continue for a like period to employ less than seventy-five employees in the operation of said manufactory, unless such cessation of operation, or such employment of less than seventy-five employees is caused by general business depression, strikes, fire, industrial depression, the act of God or the King's enemies, then the Town of Sarnia may in the next year after such default, and as often as such default shall be made, assess the said real and personal property as if this by-law and any Act validating the same had not been passed; but the said company, its successors or assigns, shall upon the payment of the taxes levied on the assessment made by reason of such default be thereafter entitled to the benefit of the assessment fixed by this by-law upon compliance with the conditions thereof.

3. That the said company shall not be entitled to any of the benefits in this by-law provided, until it shall have erected a manufactory on said lands, and have the same in operation, continuously employing at least seventy-five employees, such employees to be, as far as possible, residents of the Town of Sarnia.

4. The clerk of the municipality shall, at the Council Chambers in the Town Hall in the Town of Sarnia, on Saturday, the twenty-fifth day of October, 1913, at the hour of twelve o'clock noon, sum up the votes given for and against this by-law, and the mayor of the said town, if requested so to do, will on Wednesday, the twenty-second day of October, 1913, at twelve o'clock noon, at the Council chambers

chambers in the Town Hall in said town, appoint two persons to attend at the polling places on behalf of those persons interested in and desirous of promoting the by-law, and the like number of those interested in and desirous of opposing the said by-law. The votes of the electors entitled to vote on said by-law shall be taken on Friday, the twenty-fourth day of October, 1913, between the hours of nine a.m. and five p.m. at the several places, and by the persons, set out in the notice appended hereto.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Finally passed this third day of November, 1913.

(Sgd.) J. ALEX. BELL, M.D.,
Mayor.

(Corporate Seal) (Sgd.) J. D. STEWART,
Clerk.

NOTICE.

Take notice that the above is a true copy of a proposed by-law which will be taken into consideration by the Municipal Council of the Corporation of the Town of Sarnia in the event of the assent of the electors being obtained thereto after one month from the first publication thereof in the *Sarnia Observer* Newspaper, the said date of such first publication being the twenty-sixth day of September, A.D. 1913.

And further take notice that on Friday, the twenty-fourth day of October, 1913, between the hours of nine a.m. and five p.m., the polls will be held for taking the votes of the electors entitled to vote on said by-law, and that such votes shall be taken in the several polling sub-divisions appointed in the said town for election purposes, and for that purpose the following persons shall be the Deputy Returning Officers, and the following shall be the polling places for the taking of votes:—

First Ward, Division 1.—240 Maxwell Street, John Hetherington, D.R.O.

First Ward, Division 2.—School house, Durand Street, Don Juan Finch, D.R.O.

Second Ward, Division 1.—Fire Hall, George Street, David N. Morrison, D.R.O.

Second Ward, Division 2.—146 Essex Street, Robert W. Fawcett, D.R.O.

Third Ward, Division 1.—229 Front Street N. (upstairs), Marshall A. Sanders, D.R.O.

Third Ward, Division 2.—Council Chambers, Town Hall, Christina Street, Robt. Galloway, D.R.O.

Third Ward, Division 3.—School House, Lochiel Street, John F. Elliott, D.R.O.

Third Ward, Division 4.—191 Cameron Street, George W. Marriott, D.R.O.

Fourth Ward, Division 1.—School House, Wellington Street, John H. Dyble, D.R.O.

Fourth Ward, Division 2.—109 Euphemia Street S., Dominick LaForge, D.R.O.

Fourth Ward, Division 3.—110 Mitton Street S., William Douglas, D.R.O.

Fifth Ward, Division 1.—275 Vidal Street S., Thomas Laughlin, D.R.O.

Fifth Ward, Division 2.—Parish Hall, St. John's Church, Frank L. Reid, D.R.O.

Sixth Ward, Division 1.—410 Christina Street S., Edward J. Blake, D.R.O.

Sixth Ward, Division 2.—421 Russell Street S., Alfred Shepherd, D.R.O.

And further take notice that any tenant who desires to vote on said by-law must deliver to the town clerk not later than the seventh day before the day appointed to take the votes, a declaration provided for under Section 265 of the Municipal Act of 1913.

Dated at Sarnia this twenty-fourth day of September, A.D. 1913.

(Sgd.) J. D. STEWART,
Clerk.

CHAPTER 92.

An Act respecting the City of Sault Ste. Marie.

Assented to 27th April, 1916.

WHEREAS the Municipal Council of the Corporation ^{Preamble.} of the City of Sault Ste. Marie, hereinafter called the Corporation has, by petition, represented that it is desirable that certain by-laws specified in Schedule "A" hereto, and the debentures issued or to be issued thereunder and the assessments made or to be made, and the rates levied or to be levied for the payment of the said debentures, be validated and confirmed, and that the voters' list used at the municipal election held on the 3rd day of January, 1916, and the election then held, and the voting on by-laws then submitted to the electors for their approval thereto, be validated and confirmed, and that the purchase by the Corporation of lots 331 and 332 in the Carrick Park subdivision be ratified and confirmed and the Corporation authorized to either hold same or to sell said lots at any time and for such price as it may deem expedient; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The by-laws specified in Schedule "A" hereto and all debentures issued or to be issued thereunder and all assessments made or to be made, and all rates levied or to be levied for the payment of the said debentures are confirmed and declared to be legal, valid, and binding upon the Corporation and the ratepayers thereof. ^{By-laws specified in Schedule "A" confirmed.}

2. The voters' list used at the municipal election held on the 3rd day of January, 1916, and the election then held, and the voting on by-laws then submitted to the electors for their approval thereto are hereby validated and confirmed. ^{Confirmation of voters' list.}

Purchase
of certain
land
confirmed.

3. The purchase by the Corporation of lots 331 and 332 in the Carrick Park subdivision in the said city is hereby validated and confirmed, and the said Corporation is authorized to either hold same or to sell said lands at any time and for such price as it may deem expedient. Provided, however, that no part of the said lands shall be granted, sold or leased by way of bonus within the meaning of section 395 of *The Municipal Act* unless a by-law is submitted to and approved of by the electors in compliance with the provisions of *The Municipal Act* relating to bonus by-laws.

Short title.

4. This Act may be cited as *The City of Sault Ste. Marie Act, 1916*.

SCHEDULE "A."

1. By-law Number 867, to authorize the issue of debentures to raise the sum of \$7,500.00 to provide for the cost of completing certain concrete culverts set forth in By-law Number 710 of the said city.

2. By-law Number 868, to authorize the issue of debentures to raise the sum of \$6,500.00 to provide for the cost of the completion of a fire hall on Central Park Avenue in the City of Sault Ste. Marie, and the equipment thereof.

3. By-law Number 876, to provide for the issue of debentures to raise the sum of \$5,060.63, to provide for the cost of a certain sanitary sewer and sanitary sewer outlet constructed as local improvements in the City of Sault Ste. Marie.

4. By-law Number 877, to provide for the issue of debentures to raise the sum of \$14,448.67 to provide for the cost of certain sewers and sewer connections constructed as local improvements in the City of Sault Ste. Marie.

5. By-law Number 878, to provide for the issue of debentures to raise the sum of \$22,745.31 to provide for the cost of certain bituminous and vitrified hillside brick pavements constructed as local improvements in the City of Sault Ste. Marie.

6. By-law Number 879, to provide for the issue of debentures to raise the sum of \$16,439.68 to provide for the cost of certain concrete pavements constructed as local improvements in the City of Sault Ste. Marie.

7. By-law Number 880, to provide for the issue of debentures to raise the sum of \$3,311.90 to provide for the cost of certain concrete sidewalks constructed as local improvements in the City of Sault Ste. Marie.

8. By-law Number 874, to provide for the issue of debentures to raise the sum of \$20,000.00 to be expended for patriotic and relief purposes.

9. By-law Number 875, to provide for the issue of debentures to raise the sum of \$7,500.00 to provide for the cost of extending Herrick Street easterly from Pim Street to Church Street as a local improvement in the City of Sault Ste. Marie.

CHAPTER 93.

An Act respecting the Municipality of Shuniah.

Assented to 27th April, 1916.

WHEREAS the Corporation of the Municipality of Shuniah has by its petition prayed for special legislation in regard to the matters hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Notwithstanding anything contained in any general or special Act, it shall be lawful for the Municipality of Shuniah to levy and collect a separate and different rate, for general purposes, in each township or ward of the said municipality, as the needs of each such township or ward, for general purposes, shall require.

Separate and different rate for general purposes in each township.

2.—(1) All sales of lands within the Municipality of Shuniah, held prior to the 31st day of December, 1914, and which purport to be made by the corporation of the said municipality for arrears of taxes in respect to lands so sold, are validated and confirmed, and all deeds of lands so sold, executed by the reeve and treasurer of the said municipality, purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed or purported to be sold and conveyed, and the same are vested in the purchaser or his assigns and his and their heirs and assigns, in fee simple free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold.

Tax sales and deeds prior to Dec. 31st, 1914, confirmed.

(2) This section shall extend and apply to cases where the municipality or any one in trust for it or on its behalf became the purchaser of the lands.

(3)

Pending litigation not affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

CHAPTER 94.

An Act respecting the Town of Sudbury.

Assented to April 27th, 1916.

WHEREAS the Corporation of the Town of Sudbury Preamble. has by its petition represented that on the 3rd day of July, 1915, the council of the said corporation, with the assent of the electors, 574 voting for and 70 against the by-law, passed by-law No. 418, authorizing the said corporation to enter into an agreement with the Sudbury-Copper Cliff Suburban Electric Railway Company, for the purpose of guaranteeing the bonds of the said company to the amount of \$75,000.00; such proposed agreement to be in the form attached as a schedule to and made a part of the said by-law; that pursuant to the said by-law an agreement bearing date the 15th day of September, 1915, in the terms of the said schedule, made between the said corporation of the first part and the said railway company of the second part, a copy of which is set forth in schedule "A" hereto, was duly made and entered into, providing for the said corporation guaranteeing the bonds of the said railway company, for the sum of \$75,000.00, the payment of such bonds to be secured by a mortgage deed of trust, upon the real and personal property and franchises of the company; that pursuant to the said agreement, a mortgage deed of trust, bearing date the tenth day of January, 1916, was made by the said railway company to the said corporation, as trustee, securing the payment of the bonds of the said railway company to be issued pursuant to the said agreement; and whereas the said corporation has by its said petition prayed that the said by-law, agreement and mortgage deed of trust may be validated and confirmed; that the said corporation may be granted power to accept the office of trustee under the said mortgage deed of trust, and to assume, exercise, execute, perform and discharge the trusts, powers, duties and responsibilities of such trustee therein set forth, and such further and other powers as may be incidental or reasonably necessary to the due and effectual performance of the duties of such trustee, including the powers by this Act expressly granted; and whereas the said corporation has by its said
petition

petition further represented that the council of the said corporation has passed by-law No. 451, a copy of which is set forth in schedule "B" hereto, authorizing the issue of debentures for the sum of \$45,000 for the purposes therein mentioned and that the said council has also passed certain local improvement by-laws, referred to in schedule "C," authorizing the issue of debentures to pay for the local improvements in the said by-laws mentioned, and has by its said petition prayed that the said by-laws may be confirmed and validated; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law 418
confirmed.

1. By-law No. 418, intituled "A by-law to authorize the entering into an agreement with the Sudbury-Copper Cliff Suburban Electric Railway Company for the purpose of guaranteeing the bonds of the said company to the amount of \$75,000," passed by the council of The Corporation of the Town of Sudbury, on the 3rd day of July, 1915, is hereby confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Sudbury and the ratepayers thereof.

Confirmation
of agreement
with Sud-
bury-Copper
Cliff Subur-
ban Electric
Ry. Co.

2. The said agreement, bearing date the 15th day of September, 1915, made between the Corporation of the Town of Sudbury of the first part and the Sudbury-Copper Cliff Suburban Electric Railway Company of the second part, pursuant to by-law No. 418, a copy of which said agreement is set forth as schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Sudbury and the ratepayers thereof and the Sudbury-Copper Cliff Suburban Electric Railway Company.

First mort-
gage deed
confirmed.

3. The said mortgage deed of trust, bearing date the tenth day of January, 1916, made by the Sudbury-Copper Cliff Suburban Electric Railway Company, therein called the company, to the Corporation of the Town of Sudbury, therein called the trustee, pursuant to the said agreement and set out as Schedule "B" hereto, is hereby confirmed and declared to be legal, valid and binding upon the Sudbury-Copper Cliff Suburban Electric Railway Company and the Corporation of the Town of Sudbury and the ratepayers thereof.

Town auth-
orized to ac-
cept office
of trustee
under mort-
gage deed.

4.—(1) The Corporation of the Town of Sudbury may, and is hereby empowered and authorized to accept and

assume

assume the office of trustee under the said mortgage deed of trust mentioned, and referred to in the next preceding section of this Act, and to execute, perform and discharge the trusts, duties and responsibilities of such trustee as set forth in the said mortgage deed of trust, and to exercise all the powers thereby conferred upon such trustee and for that purpose the said corporation shall have and may exercise all such further and other powers as may be incidental or reasonably necessary to the due and effectual performance of its duties as such trustee.

(2) The Corporation of the Town of Sudbury, in the discharge of its duties as such trustee, may enter into possession of and operate the railway of the said Sudbury-Copper Cliff Suburban Electric Railway Company and for that purpose shall have and may exercise all the powers conferred upon the said railway company by the Act incorporating the said company passed in the second year of the reign of His Majesty King George V, chaptered 149 and any other Act relating to the said company and by *The Ontario Railway Act*, also the powers conferred by any other general Act upon any municipal corporation operating a municipal railway.

Operation
by town of
railway.

Rev. Stat.
c. 185.

(3) The council of the said corporation may exercise the powers hereby conferred upon the said corporation and for that purpose may appoint and employ all such officers, servants, workmen and agents as the said council may deem necessary or expedient.

Employment
of officers,
servants,
etc.

5.—(1) The Corporation of the Town of Sudbury may and is hereby authorized to guarantee the payment of the bonds of the said the Sudbury-Copper Cliff Suburban Electric Railway Company, to an amount not exceeding \$75,000, as provided in the said agreement and the said mortgage deed of trust referred to in the preceding sections of this Act, and such guarantee shall be valid and binding upon the said corporation and the ratepayers thereof. Upon the said corporation so guaranteeing the payment of any such bond or bonds or the payment of the principal and interest of any such bond or bonds, such bond or bonds shall be valid and binding upon the said railway company and the shareholders thereof, and the validity thereof shall not be open to question in any court on any ground whatsoever.

Guarantee
of bonds.

Confirmation
of guaran-
teed bonds.

(2) In the event of the Corporation of the Town of Sudbury paying any principal moneys or interest secured by the said bonds or any of them the said corporation shall be subrogated in and to the rights of a bondholder under the said mortgage deed of trust, for the purpose of securing and recovering

Subrogation
of town to
rights of
bondholder
on payment
of bonds
under guar-
antee.

recovering from the Sudbury-Copper Cliff Suburban Electric Railway Company, payment of the moneys so paid, and for that purpose the said corporation may exercise all or any of its powers as trustee under the said mortgage deed of trust.

Power of town to borrow money to make good guarantee of bonds.

6.—(1) In the event of the Sudbury-Copper Cliff Suburban Electric Railway Company at any time or times making default in the payment of the principal moneys or any part thereof or the interest or any part thereof secured by the said bonds or any of them, when and as the same become due, the Corporation of the Town of Sudbury may from time to time borrow upon the credit of the municipality, the money required to pay the same, and for that purpose may pass a by-law or by-laws, without the assent of the electors, authorizing the issue and sale of debentures for the amount required and all expenses and the estimated discount, if any, on the sale of such debentures.

Term of debentures.

(2) The debt and the debentures to be issued therefor shall be made payable within twenty years at furthest from the time when the debentures are issued.

Hypothecation of debentures.

(3) The council, pending the sale of the debentures, or in lieu of selling them may by resolution or by by-law passed without the assent of the electors, authorize the mayor and treasurer to raise money by way of loan on such debentures and to hypothecate them as security for the loan. The moneys so borrowed shall be used for the purposes mentioned in the resolution or by-law.

Application of certain provisions of Rev. Stat. c. 192.

7. Save in so far as the same are inconsistent with the provisions of this Act, sections 287 to 288 and 314 to 320 of *The Municipal Act*, and any Acts amending the same or passed in substitution therefor, shall apply to any by-law or by-laws passed under or pursuant to the provisions of this Act, and to any debenture or debentures issued under or pursuant to any such by-law, as the case may be, but it shall not be necessary to obtain the assent of the electors to the passing of any such by-law.

Power of town on foreclosure of equity of redemption or sale under mortgage.

8.—(1) In the event of the Corporation of the Town of Sudbury foreclosing the equity of redemption of the Sudbury-Copper Cliff Suburban Electric Railway Company in the mortgaged railway and premises, under the said mortgage or in the event of the said railway and mortgaged premises being sold under the said mortgage, the Corporation of the Town of Sudbury may acquire, purchase, own and operate the same and for that purpose shall have and may exercise

all

all the powers conferred upon the said corporation by subsection 2 of section 4 of this Act. Provided that if the said corporation desires to purchase at any sale by tender or public auction, the sale proceedings shall be carried on under and pursuant to the directions of The Ontario Railway and Municipal Board.

(2) Before the said corporation takes any proceedings for the purchase of the said railway, it shall submit to the electors a question as to whether they are in favour of the corporation acquiring or purchasing the said railway. Submission of purchase to electors.

(3) Any by-law providing for borrowing money upon the credit of the said corporation to pay for the said railway shall receive the assent of the electors in the manner provided by *The Municipal Act* before the final passing thereof. Assent of electors to by-law.

9. By-law No. 451 passed by the council of the Corporation of the Town of Sudbury, a copy of which is set forth in Schedule "C" hereto, and the debentures issued or to be issued thereunder are hereby declared to be valid and binding upon the Corporation of the Town of Sudbury and the ratepayers thereof, and the validity thereof shall not be open to question in any court. By-law No. 451 confirmed.

10. The local improvement by-laws referred to in Schedule "D" hereto and the debentures issued or to be issued thereunder, are hereby declared to be valid and binding upon the Corporation of the Town of Sudbury and the ratepayers thereof, and the validity thereof shall not be open to question in any court. Confirmation of certain local improvement by-laws.

SCHEDULE "A."

Memorandum of Agreement made in duplicate this 15th day of September, A.D. 1915.

Between

The Municipal Corporation of the Town of Sudbury, hereinafter called the "Corporation," of the first part;

and

The Sudbury-Copper Cliff Suburban Electric Railway Company, hereinafter called the "Company," of the second part.

Whereas the Company is the holder of franchises permitting it to construct, maintain and operate an electric railway in the Town of Sudbury, Township of McKim and the Town of Copper Cliff, as set forth in the agreement with the respective municipalities aforesaid;

And whereas the construction of the said railway has been commenced in the Town of Sudbury, Township of McKim, and Town of Copper Cliff;

And whereas it has been represented to the said Corporation by the said Company, that the total cost of such railway from Ramsay Lake Section of the Town of Sudbury to a point near the Rex Theatre, in the Town of Copper Cliff, including rolling stock, electrical and other equipment to operate said railway, will amount to \$137,500.00;

And whereas for said purpose the Company will provide the sum of \$62,500.00 by the sale of stock, and desire to provide for the balance of \$75,000.00 by the issue of bonds of the Company;

And whereas it has been represented to the said Corporation, that owing to the financial stringency at present existing, it would be of material assistance to said Company in floating its bond issue if the same were guaranteed by said Corporation;

Now therefore the parties hereto agree to and with each other as follows:—

1. The Company agrees upon the execution of this agreement to forthwith complete, fully equip and make ready for operation the said line of railway from said point in the Town of Sudbury to the said point in the Town of Copper Cliff.

2. The Company agrees to issue and float \$75,000.00 of gold bonds, bearing interest at not more than six per cent. per annum, which bonds shall be secured by a mortgage on all the assets of the Company, including the franchises above set forth, its line of railway with road bed, rolling stock, and all equipment pertaining thereto, between the points aforesaid, within the limits of said municipalities of the Town of Sudbury, Township of McKim, and Town of Copper Cliff, which mortgage shall be a first mortgage, and the proceeds of the sale of the said bonds shall be applied in paying for the construction and equipment of the railway line aforesaid and for no other purpose.

3. The Company agrees to provide in the bonds for redemption in equalized payments or to establish a sinking fund for the redemption of the said bonds and pay annually, commencing not later than five years from the date of issue of the bonds, into some trust company approved by the Corporation, or to the Ontario Railway and Municipal Board, a sum which will be sufficient to pay off the bonds at maturity in twenty years.

In

In consideration whereof the Corporation agrees:—

4. It will as accommodation and as security for the Company guarantee the principal and interest of \$75,000.00 of the authorized bond issue of the Company secured as hereinbefore mentioned, payable in twenty years, and bearing interest at not more than six per cent. per annum, and it will execute and deliver such guarantee on demand, as follows: On \$50,000.00 of such bonds, when the issue is legalized, and when the Royal Bank of Canada at Sudbury, by its manager, shall certify to the clerk of the Corporation that there has been paid into said bank, to the credit of the Company, the sum of \$62,500.00 for the purpose of constructing and equipping the railway line aforesaid, and when a statutory declaration has been made by the secretary of the Company that said sum of \$62,500.00 has been expended upon the construction and equipment of the said railway.

On \$25,000.00 of such bonds when the road from said point in the Town of Sudbury to said point in the Town of Copper Cliff is fully constructed, equipped and ready for operation, as certified by Messrs. Chipman & Powers, Engineers, of the City of Toronto, and there are no liens or claims of any kind against any of the assets of said Company, which would take priority to the mortgage aforesaid to the Corporation.

5. It is agreed that the mortgage hereinbefore referred to to be given as security for the redemption of the bonds, shall be made to the Corporation, to secure itself and the bondholders, and shall be satisfactory in its terms to the council of the said Corporation. The said mortgage shall provide for the right of the Corporation to take proceedings by way of sale, foreclosure or otherwise in realizing on assets of the Company in case default be made in providing for redemption in equalized payments, or establishing a sinking fund or in case of default in payment of principal or interest on the bond issue aforesaid.

6. All the assets of the Company shall be insured for their full insurable value, with loss, if any, payable to the Corporation.

7. Upon the completion of this agreement, the Corporation shall be entitled to nominate one director upon the Board of Directors of the Company.

In witness whereof the Mayor and Clerk of the Corporation have hereunto set their hands and affixed the seal of the Corporation, and the President and Secretary of the Company have hereunto set their hands and affixed the seal of the Company.

Signed, sealed and delivered
in the presence of

(Seal.)

"L. O'CONNOR,"
Mayor.

(Seal.)

"W. J. ROSS,"
Clerk.

"J. J. MACKAY,"
President.

"M. J. POWELL,"
Secretary.

SCHEDULE "B."

This Indenture made the tenth day of January, 1916,

Between:

The Sudbury-Copper Cliff Suburban Electric Railway Company,
hereinafter called the "Company," of the first part,

and

The Corporation of the Town of Sudbury, hereinafter called the
"Trustee," of the second part.

Whereas the Company was duly incorporated by an Act of the Legislature of the Province of Ontario (2 George V., Chapter 149) which provides amongst other things that the provisions of *The Ontario Railway Act* shall apply to the Company and to the railway constructed or to be constructed by it;

And whereas the Company is authorized by the said Act to issue bonds, debentures or other securities to an amount not exceeding \$30,000.00 per mile of railway constructed or under contract to be constructed;

And whereas the Company has constructed over three miles of its railway;

And whereas the Company desires to issue its bonds to the amount of \$75,000.00, which said sum does not exceed \$30,000.00 per mile of its railway constructed as aforesaid, and this mortgage is executed for the purpose of securing the payment of such bonds;

And whereas all necessary by-laws and resolutions of the Directors and Shareholders of the Company have been passed to authorize the issue of the bonds hereby secured, and the execution of these presents in accordance with the requirements of the Statutes relating to the Company and of all other Statutes and laws in that behalf;

And whereas the Company has applied to the Corporation of the Town of Sudbury to grant a bonus to the Company by guaranteeing the payment of the said debentures and the interest thereon;

And whereas the inhabitants of the said Town of Sudbury are interested in securing the construction of the said railway;

And whereas it is expedient in the interests of the Town of Sudbury that the Corporation should be the Trustee in this mortgage;

Now therefore this Indenture witnesseth:—

1. That for the purpose of securing payment of the bonds herein-after mentioned and the interest thereon, when and as the same become due and for protecting the interests of the Corporation of the Town of Sudbury, as guarantors of the said bonds, the Company hereby grants and mortgages to the Trustee all and singular the franchises of the Company granted to the Company by the Corporation of the Town of Sudbury, and The Corporation of the Town of Copper Cliff, and the franchise by The Township of McKim, originally granted to one Louis Laforest and by the said Laforest transferred to the Company, and the line of railway of the Company from Ramsay Lake section in the Town of Sudbury to a point near the Rex Theatre in the Town of Copper Cliff, and all the property, real and personal, and assets, rents and revenues, present and future, described in the Schedule hereto annexed, marked "A"; together

with

with all buildings now or hereafter erected or placed on the said lands and premises and which the Company hereby declares to form part of the said lands and premises and of this security.

To have and to hold the mortgaged premises unto the Trustees, its successors and assigns, in trust, to and for the uses and purposes and with the powers and authorities and upon the terms and conditions hereinafter mentioned and set forth.

2. The total amount of bonds hereby secured and which may be issued in accordance with the terms hereof is seventy-five thousand dollars of lawful money of Canada, the said bonds shall be dated the 10th day of January, 1916, and be payable on the 10th day of January, 1936, in lawful money of Canada, at the office of the Royal Bank of Canada, in the Town of Sudbury, Canada.

Each of the said bonds shall be for the sum of one thousand dollars, and the said bonds shall be numbered consecutively from one (No. 1) to seventy-five (No. 75) inclusive. Each bond shall be certified by the Trustee, over the printed or engraved name of the Trustee and signed by the Mayor, and shall be substantially in the following form or to the like effect:

"DOMINION OF CANADA"

" \$1,000.00.

No....

"Province of Ontario.

"THE SUDBURY-COPPER CLIFF SUBURBAN
"ELECTRIC RAILWAY COMPANY.

"Incorporated by Ontario Statute,
" 2 George V., Chapter 149.

"First Mortgage Bond.

"Twenty years—Interest six per cent. yearly.

"The Sudbury-Copper Cliff Suburban Electric Railway Company, for value received, hereby promises to pay to the bearer hereof, or, if registered, to the registered holder, one thousand dollars in lawful money of the Dominion of Canada, on the 10th day of January, A.D. 1936, or on such earlier date as the principal money hereby secured becomes payable in accordance with the conditions hereof, at the office of the Royal Bank of Canada, in the Town of Sudbury, with interest thereon at the rate of six per cent. per annum, payable yearly at the said place on the 10th day of January in each year on presentation and surrender of the interest coupons hereto annexed as they severally become due.

"This bond is one of a series of seventy-five bonds of like amount, tenor and date, numbered from 001 to 75 inclusive, without preference, priority or distinction of one over another, the total amount of which is \$75,000.00, being at a rate of less than thirty thousand dollars per mile of the Company's railway from Ramsay Lake section in the Town of Sudbury to a point near the Rex Theatre in the Town of Copper Cliff.

"The payment of the principal and interest of all of the said bonds is secured by a deed of mortgage duly executed by the Company to The Corporation of the Town of Sudbury and its successors in the trust, as Trustees, which conveys to the said Trustees, by way of mortgage, the franchises and the line of railway of the Company from Ramsay Lake section in the Town of Sudbury to a point near the Rex Theatre in the Town of Copper Cliff, and all the property real and personal and assets, rents and revenues present and future of the Company.

"This bond may be registered in the books of the Company at its Head Office, Sudbury, after which no transfer, except upon the

books

books of the Company, at the place of registry, will be valid, but it is not to be deemed registered until the name of the holder is registered on the back of the bond as well as in the said books. Transfer in favor of bearer may subsequently be registered, after which this bond shall be transferable by delivery alone until again registered in the name of the holder. Notwithstanding registration the coupons shall be and remain payable to bearer.

"This bond is subject to the terms of said mortgage and shall not become obligatory until it shall be certified by the Trustees for the time being under the said mortgage. Provision is made in said mortgage for a Sinking Fund to retire said bonds at maturity.

"This issue of 75 bonds is subject to redemption in whole but not in part, at any time after the expiration of two years from date hereof, at a premium of fifty dollars and accrued interest, and at any time after the expiration of five years from date hereof, at par, with accrued interest, upon the Company giving two months' public notice of its intention so to do, by publication of such notice once a week for three successive weeks in two public newspapers, one published in the City of Toronto and one in the Town of Sudbury. Interest upon such bonds shall cease to accrue and be payable from and after the time for redemption stated in such notice.

"In witness whereof The Sudbury-Copper Cliff Suburban Electric Railway Company has caused its Corporate Seal to be hereto affixed and these presents to be signed by its President and the same to be countersigned and the interest coupons to be signed by its Secretary, by his engraved signature, this 10th day of January, one thousand nine hundred and sixteen.

(SEAL.)

.....
"President.

.....
"Secretary.

"TRUSTEES' CERTIFICATE.

(To be endorsed on Bond)

"This Bond is one of the series of First Mortgage Bonds numbered 001 to 75 inclusive, described in the within mentioned mortgage or deed of trust executed by The Sudbury-Copper Cliff Suburban Electric Railway Company to the undersigned.

"THE CORPORATION OF THE TOWN OF SUDBURY,

.....
"Trustees.

.....
"Mayor.

"GUARANTEE

(To be endorsed on Bond)

"Pursuant to the provisions of the *Municipal Act*, and of By-law No. 418 of the Corporation of the Town of Sudbury, duly passed on the 3rd day of July, 1915, the Corporation of the Town of Sudbury hereby guarantees payment of the within Bond and coupons thereto attached, to the bearer or registered holder thereof.

"In witness whereof the Mayor and Clerk of the said Town of Sudbury have hereunto set their hands and affixed the Corporate Seal of the Corporation.

(SEAL.)

.....
"Mayor.

.....
"Clerk.

"INTEREST

"INTEREST COUPON.

" Coupon No.

\$60.00

"The Sudbury-Copper Cliff Suburban Electric Railway Company will pay to bearer on the 10th day of January, 19 , sixty dollars of lawful money of Canada, at the office of the Royal Bank of Canada at Sudbury, Ontario, being yearly interest at the rate of six per cent. per annum of its First Mortgage six per cent. twenty-year Bond No.

.....
 "Secretary."

3. Until certified by the Trustee, no bond shall be entitled to the security hereby created or be binding upon the Company for any purpose. The certificate of the Trustee may be signed by the Mayor.

4. The said bonds, or any of them, may be signed by the President or Vice-President and Secretary holding office at the time of signing, and notwithstanding any change in any of the persons holding said offices between the time of actual signing and the certifying and delivery of the bonds, and notwithstanding the President or Vice-President or Secretary signing may not have held office at the date of the bonds or the date of certifying and delivery thereof, the bonds so signed shall be valid and binding upon the Company.

5. The said bonds shall be executed by the Company and delivered to the Trustee to be certified and shall be certified by the Trustee and forthwith delivered to or to the order of the Company.

6. Provided always, and these presents are upon this express condition, that if the Company shall well and truly pay to the holders of the said bonds the amount of such bonds and the interest thereon, when and as the same shall become due and payable, or may be redeemed, and also shall pay all rates, taxes and charges whatsoever payable upon or in respect of the said mortgaged premises, and shall observe and perform the covenants herein contained, then these presents shall cease and become null and void, and the mortgaged premises shall revert to and revest in the Company, without any acknowledgment of satisfaction, release, acquittance, re-conveyance, re-entry or other act or formality whatever, but in such case and whenever the said bonds as aforesaid shall have been paid and satisfactory evidence shall have been given to the Trustee of such payment, it shall nevertheless be the duty of the Trustee, at the expense of the Company to execute, acknowledge and deliver to the Company on demand, a full release and re-conveyance of the mortgaged premises not lawfully disposed of under the trusts and powers herein contained.

7. These presents shall secure the payment of each and all of the said bonds without preference or priority of any one over the other bond by reason of priority in the issue or negotiation thereof. Each bond, so soon as issued or negotiated shall, subject to the terms hereof, be equally and proportionately secured hereby, as if all had been issued and negotiated simultaneously.

8. In case default be made in the payment of any principal of any of said bonds as the same matures or in case default be made in the observance or performance of something hereby required to be done or of some condition or covenant to be observed or performed by the Company, then and thenceforth and in any such case, except as hereinafter mentioned, it shall be lawful for, but not obligatory upon the Trustee itself or by its attorneys or agents without any notice to the Company, to enter into and upon the mortgaged premises or any part thereof, and from thenceforth to have, hold

and

and possess and use the mortgages, premises and all or any parts thereof; and until the sale and delivery of the same, as hereinafter provided for, to operate and conduct the business of the Company by such superintendents, managers, and servants, attorneys or agents as the Trustee may think fit; and to make from time to time such repairs, replacements, alterations, additions and improvements to the mortgaged premises or any part thereof as the Trustee may think advisable and to collect and receive all tolls, incomes, rents, issues and profits of the mortgaged premises and every part thereof, and after deducting all expenses and outgoings of operating and conducting the said business and of repairs, replacements, alterations, additions and improvements, and all payments which may be made or may be due for insurance, taxes, assessments, charges or liens prior to the lien of this mortgage upon the mortgaged premises or any part thereof and just compensation to the Trustee for its own services, and for the services of such counsel, attorneys, agents and other persons as shall have been by it employed, and all other costs, charges and expenses reasonably incurred in and about the execution of the trusts and powers in this mortgage contained, the Trustee shall reserve the balance of the money received by it in connection with the operation and conduct of the said business and the mortgaged premises, to be applied to the payment of the principal of the said bonds upon a sale of the mortgaged premises as hereinafter provided.

9. In case default be made in the payment of any principal of any of said bonds, it shall be lawful for, but not obligatory upon, the Trustee acting by such officer, agent, attorney, or other representative as its then Mayor may thereunto designate, after such entry as aforesaid, or after other entry or without entry, and whether in or out of possession, and after such advertisement as the Trustee deems sufficient, to sell and dispose of the mortgaged premises or any part or parts thereof, en bloc or in parcels as it may deem expedient, at public auction or by private sale, at such time and place and in such manner as it may think best, and to make such sale with or under special conditions as to upset price, reserve bid or otherwise, or as to receiving the price or consideration in whole or in part in bonds secured hereunder. The Trustee may also rescind or vary any contract of sale that may have been entered into, and resell with or under any of the powers herein. The Trustee may also stop, suspend or adjourn any sale from time to time, and may make such sale at the time and place to which the same may be so adjourned, and may make and deliver to the purchaser or purchasers, good and sufficient deeds, assurances and conveyances of the mortgaged premises or such parts thereof as may be purchased, and any such sale shall be a perpetual bar both at law and in equity, against the Company and its assigns and all others, claiming the premises, or any part thereof, by from or under the Company or its assigns. After deducting from the proceeds of sale just allowances for all costs, charges and expenses, payments, advances or liabilities made or incurred by the Trustee in connection with the mortgaged premises, and the operation and management of the said business and otherwise in connection with the trusts hereof, as well as reasonable compensation for its own services, the residue of the money arising from any such sale shall be applied in payment of the principal on all the said bonds which shall then be outstanding rateably and proportionately, and without preference or priority or discrimination. If any surplus remains, the same shall be paid to the Company or its assigns. And it is hereby declared and agreed that the receipt of the Trustee shall be a sufficient discharge to the purchaser or purchasers at any sale for the purchase money, and that after payment of such purchase money, and having such receipt, the purchaser or purchasers shall not be obliged to enquire into the application of the purchase money upon or for the trusts or purposes hereof, or be in any manner whatsoever answerable for

any loss, misapplication or non-application of such purchase money or any part thereof, nor shall such purchaser or purchasers at any time be obliged to enquire into the necessity, expediency, authority or regularity of or for any such sale.

Upon any sale of the mortgaged premises, or of any part thereof, the purchaser, in making payment therefor shall be entitled after paying in cash so much as shall be necessary to cover the costs and expenses theretofore incurred by the trustee, and of the sale and of the proceedings incident thereto, to appropriate and use toward the payment of the remainder of the purchase price any of the bonds issued hereunder, and entitled to participate in the proceeds of such sale, reckoning each bond so appropriated and used at such sum as shall be payable thereon out of the net proceeds of the sale; and proper receipts shall thereupon be given to the holders of such bonds for the amount so payable thereon, and the bonds, if the net proceeds of the sale shall be sufficient to pay them in full, shall be delivered up for cancellation; or if the proceeds of the sale shall not be sufficient to pay such bonds in full, then proper endorsement shall be made thereon of the amount so paid, and they shall then be returned to the holders.

10. In case default be made in the observance or performance of something hereby required to be done, or of some condition or covenant to be observed or performed by the company, the trustee may, upon being requested by the holders of twenty-five per cent. of the bonds then outstanding in the manner hereinafter provided for, declare the principal sum of each of the said bonds to be due and payable, and the same shall upon such declaration become due and payable accordingly, but holders of said bonds representing more than three-fourths thereof shall, by resolution or instrument in writing, have the power to cancel any declaration already made to that effect, or to waive the right so to declare on such terms and conditions as they may prescribe, provided always that no act or omission either of the trustee or of the bondholders in the premises shall extend to or be taken in any manner whatsoever to waive or affect any subsequent default or the rights resulting therefrom.

11. The security hereby constituted shall also become enforceable if an order shall be made or be applied for or if an effective resolution is passed for the winding up of the Company, or if the Company shall make an assignment for the benefit of its creditors, or if a distress or execution be issued against the Company's properties or any part thereof, or if the Company shall stop payment or shall, without the assent in writing of the Trustee, cease to carry on its business or a substantial part thereof, or threaten to cease to carry on the same, or if the Company be adjudged bankrupt or insolvent or lose its charter by expiration, forfeiture or otherwise, or in case a receiver of all or any part of the trust premises or any other officer with like power shall be appointed.

12. The Trustee may, by writing, appoint a receiver or receivers of the mortgaged premises, or part thereof, and may remove any receiver so appointed and appoint another in his stead, and the following provisions shall take effect:—

(a) Such appointment may be made at any time after this security shall have become enforceable, and either before or after the Trustee shall have entered into or taken possession of the mortgaged premises or any part thereof.

(b) Every such receiver may be invested with any of the powers and discretions of the Trustee.

(c)

(c) Such receiver may carry on the business of the Company or any part thereof, and may exercise all the powers conferred upon the Trustee under paragraph 8 hereof.

(d) The Trustee may from time to time fix the remuneration of every such receiver and direct the payment thereof out of the mortgaged premises or the proceeds thereof.

(e) The Trustee may from time to time require any such receiver to give security for the performance of his duties and may fix the nature and amount thereof, but it shall not be bound to require such security.

(f) Every such receiver may, with the consent in writing of the Trustee, borrow money for the purposes of carrying on the business of the Company or for the maintenance of the mortgaged premises or any part or parts thereof or for other purposes approved by the Trustee, and the receiver may issue certificates (herein called "Receiver's Certificates") for such sums as will, in the opinion of the Trustee, be sufficient for obtaining upon the security of the mortgaged premises the amounts from time to time required, and such certificates may be payable either to order or to bearer and may be payable at such time or times as to the Trustee may appear expedient, and shall bear interest as shall therein be declared, and the Trustee may sell, pledge, or otherwise dispose of the same in such manner as it may deem advisable, and may pay such commission on the sale thereof as to it may appear reasonable, and the amounts from time to time payable by virtue of such receiver's certificate shall form a first charge upon the mortgaged premises in priority to the said bonds.

(g) Every such receiver shall, so far as concerns responsibility for his acts, be deemed the agent of the Company.

13. After this security shall have become enforceable upon a requisition in writing by the holder or holders of bonds to an aggregate amount of not less than one-fourth of the amount of bonds then outstanding, or upon receiving from the chairman of a meeting at which such amount of bondholders were represented a certified copy of a resolution duly passed thereat making such requisition, and upon indemnification of the Trustee to its satisfaction against all loss, costs, expenses and liabilities to be by it incurred, it shall be the duty of the Trustee to proceed, and without such requisition the Trustee may in its discretion proceed, to enforce its rights and the rights of the bondholders under these presents by such proceedings authorized by these presents or by law as the Trustee shall in such requisition be directed to take, or, if such requisition contains no such direction, or if the Trustee shall act without such requisition then by entry, sale or suit at law or in equity as the Trustee shall deem expedient. The rights of entry or sale hereinbefore granted are declared to be cumulative remedies additional to all other remedies allowed by law for the execution and enforcement of the trusts hereof, provided, nevertheless, it shall be lawful for bondholders holding a majority of the bonds then outstanding, by written instrument or by resolution, to direct the Trustee to waive such default upon such terms as may be directed in such instrument.

14. In all cases of any instructions or requests by the bondholders to the Trustee the same shall either be in writing, in which case the Trustee shall have the right to demand proof of the ownership or legal holding of the bonds, the alleged holders or owners of which claim the right hereunder to instruct or request; or the Trustee may require deposit of said bonds, or such instructions or requests may be evidenced by being contained in a resolution passed at a meeting of bondholders held as herein provided and certified by the chairman of such meeting.

15. In any case, or upon any occasion arising when the Trustee shall desire to consult with the bondholders, a meeting of the bondholders may be called by the Trustee, and the Trustee shall call such meeting of the bondholders on a requisition in writing, signed by holders of not less than one-tenth of the nominal amount of bonds for the time being outstanding, by notice to be published once a week for two consecutive weeks in one newspaper published in the City of Montreal and in one newspaper published in the City of Toronto, and such meeting shall be held at such time and place as shall be fixed by the notice so published, and may, without publication, be adjourned from time to time and to such place as the meeting shall determine; and such meeting shall be held in the manner usual with deliberative bodies, a chairman to be elected by the bondholders present or represented by proxy, and each bondholder shall have one vote for each one thousand dollars of bonds held by him. At such meetings and in all other acts, deeds, matters or things requiring to be done in respect of the premises under any provision contained herein or in the said bonds or otherwise in relation thereto, a bondholder may act either in person or by a proxy or attorney duly constituted.

16. It is hereby declared and agreed that no holder of bonds shall have the right to institute any suit or proceedings for foreclosure or sale under this mortgage or for the execution of the trusts hereof, except upon and after the refusal or neglect of the Trustee to proceed to act in the premises upon requisition and indemnification as aforesaid; it shall, however, be lawful for the holders of bonds, representing a majority of the outstanding bonds for the time being, to direct the party bringing any such suit or proceedings to waive the default or defaults on which it is founded in like manner as is hereinbefore provided for a direction to the Trustee to waive default, and such direction shall be complied with. It is further declared and agreed that no action taken by the Trustee or by bondholders under this clause shall prejudice or in any manner affect the powers or rights of the Trustee or of bondholders in the event of any subsequent default or breach of condition or covenant herein.

17. The bonds hereby secured shall be negotiable and pass by delivery.

18. The Company covenants with the Trustee that it will pay and discharge all claims or obligations due laborers and mechanics which may, by law, be given a prior right to the lien of these presents, and will pay annually, commencing not later than five years from the date of issue of bonds, into the Montreal Trust Company or some other Trust Company approved by the Trustee, a sum which shall be sufficient to pay off the bonds at maturity in twenty years; that during the continuance of this security it will duly pay the interest and principal of the said bonds as the same mature, and that it will pay from time to time as the same respectively become due the principal and interest on all or any outstanding mortgages or bonds heretofore made or issued by the Company, and that it will pay from time to time as the same become payable all taxes, rates, levies, assessments, Government, Municipal or otherwise, legally levied, assessed or imposed upon the Company or upon the mortgaged premises or any part thereof; and that it will insure and keep insured the buildings, plant, warehouses, storage plants and the machinery in connection therewith forming part of the mortgaged premises, against loss or damage by fire with some group or association of underwriters of good standing, or with some insurance company or companies of good standing in the same manner and at least to the same extent as is usual with companies operating like properties, and will pay the premiums and other money payable for that purpose, and will cause all policies of insurance or renewals thereof to be made payable

able in case of loss to the Trustee as part of the security hereunder, or will assign the insurance money and all loss and claims under such insurance to the Trustee in such form as shall be satisfactory to it, and will deposit or otherwise deal with all such policies and renewals in such places and manner as the Trustee may require.

And should the Company fail so to do, the Trustee may, but shall not be obliged to, cause such insurance to be effected and kept up, and may pay the premiums therefor. Provided that any insurance effected by any such company for the benefit of the holders of any bonds, debentures or other securities issued by such company shall be deemed an insurance within the meaning of this covenant. Should the Company fail to effect such insurance and keep the same in force, or so to assign or make said money payable to the Trustee, the Trustee may effect such insurance, and any money paid by the Trustee in respect thereof shall be immediately repaid to it by the Company, with interest; but no duty with respect to effecting or maintaining insurance or seeing that such assignment is made or such money is made payable to the Trustee shall rest upon the Trustee, and it shall not be responsible for any loss by reason of want thereof. In case of damage or destruction by fire of any of the property insured the insurance money shall be received by the Trustee, and shall be applied by it at the request of the Company for the purposes only either of rebuilding or reinstating the property damaged or destroyed, or of building or procuring other in lieu thereof, or of otherwise bettering or improving the mortgaged premises; provided that the Company is not in default hereunder; provided, however, that the Trustee shall be under no duty or responsibility to see to the application of said insurance money so paid to the Company, whose receipt therefor shall be a discharge to the Trustee. Pending application of said insurance money for the purposes aforesaid, the same shall form part of the mortgaged premises and shall be deposited by the Trustee to a separate account in a chartered bank of the Dominion of Canada or be invested by the Trustee in such securities as may be mutually agreed upon by the Trustee and the Company. The Company further covenants with the Trustee to carry on and continuously conduct its business in an efficient manner, to maintain and to repair and keep in repair and in good working order and condition all buildings and erections, machinery, plant and fixtures forming part of the mortgaged premises. The Company further covenants to preserve all franchises and rights and to pay all rents and observe all covenants reserved by and contained in any leases under which the Company holds any property. The Company further covenants that it will pay the Trustee's fees, charges and expenses in connection with this deed and trust mortgage.

19. The Company further covenants to do, execute and deliver all such further acts, deeds, conveyances and assurances in the law for the purpose of record or otherwise for the better assuring, conveying and confirming unto the Trustee the mortgaged premises and every part thereof as the Trustee shall reasonably require for the better accomplishing and effectuating the intentions and provisions of these presents; and whenever and as often as the Company shall hereafter acquire any additional property (real or personal), shares, securities, evidences of indebtedness, rights, franchises, powers or things whatsoever, the Company shall hold the same upon and subject to the trusts of these presents until conveyance, assignment, transfer or assurance thereof shall be duly made and delivered to the Trustee for the benefit of the trusts by these presents created whenever such conveyance, assignment, transfer or assurance is required by the terms hereof; and that the Company will, on demand, re-pay to the Trustee all money which may be paid by the Trustee for premiums of insurance, taxes, legal expenses or charges or other expenditure which the Trustee may reasonably incur in and about the execution of the

trusts hereof; and all such moneys, together with interest thereon, shall be a first charge upon the security hereby created in preference to the said bonds. The Company further covenants that it will, upon the request of the Trustee at any time after the security hereby constituted shall have become enforceable, execute such legal assurances to the Trustee of the property covered by these presents as the Trustee may require.

20. The Trustee shall not be responsible or liable for any destruction, injury or damage to the mortgaged premises by the Company, nor by any person or persons whomsoever, or from any cause or accident whatsoever. The Trustee may, if in the opinion of the Ontario Railway and Municipal Board such action is necessary, select and employ in and about said trusts and duties, suitable agents and attorneys, whose reasonable compensation shall be paid by the Company, or, in default of payment, shall be a charge upon the said mortgaged premises, and upon the proceeds thereof, paramount to said bonds, and the Trustees shall not be liable for any neglect, omission or wrong doing of any such agent or attorney, reasonable care being exercised in their selection, nor shall it be held liable for having acted, or not having acted, on the advice of any person or persons appointed by it hereunder, nor for any money except such as shall come into its hands or possession, nor shall it be liable for anything whatsoever except a breach of trust knowingly committed by it.

The Trustee shall be under no obligation or duty to perform any act hereunder or to defend any suit in respect thereof unless first indemnified to its satisfaction; nor shall the Trustee be bound to recognize any person as a bondholder unless his bonds are submitted to the Trustee for inspection, if required, and his title satisfactorily established, if disputed.

The Trustee shall, as regards all the trusts, powers and authorities and discretions vested in it, have absolute and uncontrollable discretion as to the exercise thereof, and shall not be responsible for want of discretion in any matter or thing or for failing to act in any case in which a discretion to act is given to the Trustee, and where discretionary power may be used on the part of the Trustee it shall be at liberty to accept a certified copy of resolution under the Company's seal, and signed by the President and Secretary of the Company, to the effect that any particular dealing or transaction or step or thing is, in the opinion of the person so certifying, expedient as sufficient evidence that it is expedient; and the Trustee shall be in no wise bound to call for further evidence or for any certificate or be responsible in the absence of fraud on its part for any loss, costs, damages or inconvenience that may result from the exercise or non-exercise of any discretionary power.

The Trustee shall have no responsibility for the validity of this instrument or for the execution or acknowledgment thereof or for the validity of any bond issued hereunder nor shall it be in any wise responsible for the breach of any covenants hereof by the Company.

In any case when it shall be necessary or proper for the Trustee to make any investigation respecting any fact preparatory to taking or not taking action or doing or not doing anything under this indenture as such Trustee, the certificate of the Company over its corporate seal verified by affidavit or Statutory Declaration by its President, Vice-President, Secretary or Treasurer shall, except as herein otherwise provided, specially, be sufficient evidence of such fact to protect the Trustee in any action such Trustee may take or refrain from taking by reason of the supposed existence of such fact, but the Trustee may nevertheless make such further or other investigation as it may deem proper.

The Trustee shall have power to determine all questions and doubts arising in relation to any of the provisions hereof and every such determination whether made upon the question actually raised or implied in the acts or proceedings of the Trustee, shall be conclusive and shall bind all persons interested under these presents, subject to appeal by any persons interested to the Ontario Railway & Municipal Board.

21. It is hereby distinctly understood and agreed as a condition upon which the Trustee has entered into these presents and accepted the trust hereby created that it shall not be bound to take any steps to enforce the performance of any of the covenants on the part of the Company in these presents contained, and in particular, but without limiting the generality of the foregoing words, that it shall not be held liable for any failure or defect of title to or for any encumbrance upon the mortgaged premises for or by reason of the statements of facts or recitals in this mortgage or in any mortgage supplemental hereto, or in said bonds contained, or be required to verify the same, but all such statements and recitals are and shall be deemed to have been made by the Company only, and it shall not be held to be the duty of the Trustee and nothing herein contained shall in any wise cast any obligation upon the Trustee to make, register, file or renew this or any other deed or writing by way of hypothec, mortgage, charge or bill of sale upon or of the mortgaged premises or any part thereof, or upon any other property of the Company, or to procure any local hypothec, mortgage or charge or other or additional instrument of further assurance in order to add to the security hereby intended to be given or to do any other act for the continuance of the lien or charge hereof or for giving notice of the existence of such lien or charge or for extending or supplementing the same or to do any other act whatsoever which may be suitable or proper to be done for the preservation of the security hereby created. It is also hereby declared and agreed that the Trustee shall not be required to insure or to keep insured or to give any notice to the bondholders or failure to insure on the part of the Company against loss or damage by fire or otherwise, the mortgaged premises or any property of any other company controlled by the Company, or to keep itself informed or advised as to the payment or give notice to the bondholders as to the non-payment by the Company of any taxes or assessments or premiums of insurance or other payments which the Company should make or to require such payments to be made, it being hereby agreed and declared that as to all the matters and things in this clause above referred to the duty and responsibility shall rest upon the Company and not upon the Trustee, and the failure of the Company to discharge such duties and responsibilities shall not in any way render the Trustee liable or cast upon it any duty or responsibility for breach of which it would be liable and in general it is understood and agreed that prior to the Trustee being required to take any action or active measures with respect to the premises mortgaged or hypothecated or that may be mortgaged or hypothecated after being duly indemnified to its satisfaction against all actions, proceedings, claims and demands to which it may render itself liable, and all costs charges, damages and expenses which it may incur by so doing, or its taking active measures with respect thereto without being so requested or indemnified, its sole duty is confined to certifying the bonds secured hereby to belong to the series mentioned herein.

22. The Trustee may resign its trust and be discharged from all further duties and liabilities hereunder after giving three months' notice in writing to the Company. Provided that such shorter notice may be given as the Company shall accept as sufficient. In case of the resignation of the Trustee, its successors shall be at once appointed by the Company and the Trustee jointly, subject to the approval of the Ontario Railway and Municipal Board; but should

they fail to agree on such appointment, then such successor shall be appointed by the Ontario Railway and Municipal Board upon the application of the Trustee, upon such notice to the Company and to the bondholders, and given in such manner as the said Board may direct or upon the application of bondholders, upon notice to the Company. On any new appointment, the new Trustee shall be vested with the same powers, rights, duties and responsibilities as if it had been originally named as Trustee without any further assurance, conveyance, act or deed, but there shall be immediately executed at the expense of the Company all such conveyances or other instruments as may be necessary or suitable for the purpose of assuring to the new Trustee a full estate in the premises.

23. In case any bond issued under this indenture shall become mutilated, or be destroyed, the Company may in its discretion issue and thereupon the Trustee shall certify and deliver a new bond of like date and tenor bearing the same serial number as the one mutilated or destroyed, in exchange for and in place and upon cancellation of the mutilated bond or in lieu of and substitution for the same if destroyed. In case of destruction, the applicant for a substituted bond shall furnish to the Company and the Trustee evidence of the destruction of such bond, which evidence shall be satisfactory to the Company and the Trustee, in their discretion, and the applicant shall also furnish indemnity satisfactory to both of them in their discretion.

24. The Trustee may at any time with the consent of the bondholders concur with the Company in making any modifications in these presents or in the bonds, which in the opinion of the Ontario Railway and Municipal Board it may be expedient to make for any purpose whatsoever.

25. It is hereby declared that the last day of any term of years reserved by any lease, verbal or written, or any agreement therefor, now held or hereafter acquired by the Company, and whether falling within a general or specific description of property hereunder, is hereby excepted out of the assignment or transfer of such lease or agreement hereby made, and does not and shall not form any portion of the mortgaged premises; and it is further hereby declared and agreed that after any lease or sale made under the powers herein contained of any leasehold interest forming part of the mortgaged premises, the Company shall stand possessed of the premises sold for the last day of the term granted by the lease thereof or agreement therefor in trust for the purchaser or purchasers, their executors, administrators and assigns, to be assigned and disposed of as he or they may direct.

26. Should the Company pledge any bonds secured hereunder or otherwise deliver or deposit any bonds so as to entitle the Company to redeem or get back the same and should the Company redeem or get back the bonds so pledged or otherwise delivered or deposited then the Company may from time to time reissue the same or any of them or surrender to the Trustee for cancellation the said bonds or any of them, and the Trustee shall cancel the same.

27. Pending the delivery of printed, lithographed or engraved bonds to the Trustee, the Company may issue and the Trustee certify interim bonds in such form and in such amounts as the Trustee and the Company may approve entitling the holders thereof to definitive bonds when the same are prepared, and pending such exchange the holders of the said interim bonds shall be deemed to be bondholders and entitled to the benefit and security of this indenture to the same extent and in the same manner as though the said exchange had actually been made.

28. The Trustee hereby accepts the trusts of this indenture and agrees to carry out and discharge the same unless and until discharged therefrom by resignation or in some other lawful way.

29. Any money paid by the Corporation of the Town of Sudbury, whether for principal or interest under the guarantee of the said bonds by the said Corporation hereinbefore referred to shall be deemed to be paid in discharge of the liability of the said Corporation under such guarantee, but not in discharge of the liability of the Company under the bonds so guaranteed, or under the mortgage securing them, but all money so paid shall be deemed to be still secured by the said bonds and mortgaged for the benefit of The Corporation of the Town of Sudbury, and the said Corporation in respect thereof shall be subrogated in and to all the rights of the holders of the said bonds, interest upon or principal or any part of the principal of which may have been paid by the said Corporation, and the said Corporation, in respect to all moneys which may be so paid and the interest thereon, shall be, in all respects in the position of and shall be entitled to the rights and remedies of bond holders under this mortgage in respect of whose bonds default has been made and by the said mortgage, the same shall continue to be preferentially secured.

30. Wherever throughout this mortgage the Company or the Trustee are mentioned or referred to, such mention or reference shall extend to and include their successors and assigns and for all purposes under this mortgage the Company may act through its Board of Directors or Officers or persons authorized by the Board.

In witness whereof this indenture has been duly executed by the parties hereto under their respective corporate seals,

THE SUDBURY AND COPPER CLIFF SUBURBAN ELECTRIC RAILWAY
COMPANY,

J. J. MACKEY,
President.

M. J. POWELL,
Secretary.

THE CORPORATION OF THE TOWN OF SUDBURY.

THOS. TRAVERS,
Mayor.

W. J. ROSS,
Clerk.

SCHEDULE "A" REFERRED TO IN THE WITHIN MORTGAGE.

MORTGAGED PREMISES.

The Assets of the Company consist of:

1. Municipal franchises granted by the Municipal Corporation of the Town of Sudbury, Municipal Corporation of the Town of Copper Cliff, including rights under agreement with Canadian Copper Co., and the Municipal Corporation of the Township of McKim to Louis Laforest and transferred by the said Laforest to the Company.

2. The Company's line of railway and all equipment and personality pertaining thereto, including road-bed (not realty) between a point at or near Ramsay Lake, in the Town of Sudbury and a point in the Town of Copper Cliff, all of which is within the limits of the said Municipalities of the Town of Sudbury, Township of McKim and Town of Copper Cliff.

Canada, Province of Ontario, District of Sudbury, To Wit:	}	1. William J. Ross, of the Town of Sudbury, in the District of Sudbury, Accountant, make oath and say:
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I am the Clerk and Treasurer of the Municipal Corporation of the Town of Sudbury, the mortgagee in the foregoing mortgage named. That the said mortgage was executed in good faith and for the express purpose of securing the payment of the bonds referred to therein, and the interest thereon, and not for the purpose of protecting the goods and chattels mentioned therein against the creditors of the within-named Sudbury-Copper Cliff Suburban Electric Railway Company, mortgagor, or of preventing the creditors of said mortgagor from obtaining payment of any claim against it.

Sworn before me at the Town of Sud-
bury, in the District of Sudbury, this }
10th day of February, 1916.

W. J. ROSS.

G. J. BUCHANAN,
A Commissioner, Etc.

Canada,
Province of Ontario, } I, Arthur James Manley, of the Town of
District of Sudbury, } Sudbury, in the District of Sudbury, Steno-
To Wit: } grapher, make oath and say:

That I was personally present and did see the within Mortgage duly signed, sealed and delivered by Sudbury-Copper Cliff Suburban Electric Railway Company, by its President, J. J. Mackey, and its Secretary, M. J. Powell, and by the Corporation of the Town of Sudbury, by the Mayor thereof, Thomas Travers, and the Clerk thereof, W. J. Ross, both the parties thereto; and that I know the said parties, and that the name A. J. Manley set and subscribed as witness thereto is of the proper handwriting of me this deponent, and that the same was executed at the Town of Sudbury, in the District of Sudbury, on the fourteenth day of March, A.D. 1916. And that I am an attesting witness thereto of the due execution of the said mortgage.

Sworn before me at the Town of Sud-
bury, in the District of Sudbury, this }
14th day of March, 1916.

A. J. MANLEY.

GEO. J. VALIN,
A Commissioner, Etc.

SCHEDULE "C."

By-LAW No. 451.

A By-law to provide for the raising of \$45,000.00 for the purposes herein set forth.

Whereas it has been found necessary to make the following extensions to the existing sewerage system in the Town of Sudbury at a cost of \$21,000.00 on the following streets, namely:—

Elm Street, from Lisgar to trunk sewer;
Cedar Street, from Lisgar to east end of bridge;
Over Junction Creek;
Larch Street, from Lisgar to Minto;
McNaughton Terrace;
John Street;
Cedar Street, east of Junction Creek;
Keziah Street to Elm;
Elm Street, Keziah to Matthew;

And

And whereas the said extensions to the sewerage system have been approved by the Provincial Board of Health, and such approval has been certified in writing and signed by the Chairman and Secretary of the Board;

And whereas it has been found necessary to make the following extensions to the existing water works system in the Town of Sudbury at a cost of \$16,000.00 on the following streets, namely:—

Station Street;
Beech Street, East and West;
Elm Street East;
Young Street;
McNaughton Terrace;
John Street East;

And whereas the said extensions to the water works system have been approved by the Provincial Board of Health, and such approval has been certified in writing and signed by the Chairman and Secretary of the Board;

And whereas it has been found necessary to make extensions to the existing electric light system in the Town of Sudbury, at a cost of \$5,000.00;

And whereas it has been found necessary to widen the bridge on Station Street, at a cost of \$3,000.00;

And whereas for the purposes aforesaid it will be necessary to issue debentures of the Town of Sudbury for the sum of \$45,000.00, bearing interest at the rate of five per cent. per annum, as herein-after provided, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient that the said sum of \$45,000.00 be repaid by annual instalments during a period of twenty years, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year during said period shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period;

And whereas the annual sum to be raised each year during said period of twenty years in order to discharge in manner aforesaid the several payments of principal and interest accruing due on said debt as said instalments become respectively payable, is the sum of \$3,610.91;

And whereas the amount of the whole rateable property of the municipality, according to the last revised assessment roll, is the sum of \$4,428,055.00;

And whereas the existing debenture debt of the municipality is the sum of \$633,689.41, of which no part of principal or interest is in arrears;

Therefore the Municipal Council of the Town of Sudbury enacts as follows:—

1. The sum of \$45,000.00 shall be paid by the Town of Sudbury for the purposes aforesaid, and it shall be lawful for the Mayor of the Town of Sudbury to borrow from any person or persons, body or bodies corporate, the said sum of \$45,000.00, for the purposes aforesaid, and debentures shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of five per cent. per annum, and having coupons attached thereto for payment of interest.

2. The debentures shall all bear same date and shall be issued within two years after the day on which this by-law is passed, and may

may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when same are issued, and the respective amounts of principal and interest in each of such years shall be as follows:—

	Interest.	Principal.	Total.
1	\$2,250 00	\$1,360 91	\$3,610 91
2	2,181 95	1,428 96	3,610 91
3	2,110 50	1,500 41	3,610 91
4	2,035 48	1,575 43	3,610 91
5	1,956 71	1,654 20	3,610 91
6	1,874 00	1,736 91	3,610 91
7	1,787 15	1,823 76	3,610 91
8	1,695 97	1,914 04	3,610 91
9	1,600 22	2,010 69	3,610 91
10	1,499 69	2,111 22	3,610 91
11	1,394 12	2,216 79	3,610 91
12	1,283 28	2,327 63	3,610 91
13	1,166 90	2,444 01	3,610 91
14	1,044 70	2,566 21	3,610 91
15	916 39	2,694 52	3,610 91
16	781 66	2,829 24	3,610 91
17	640 20	2,970 71	3,610 91
18	491 67	3,119 24	3,610 91
19	335 71	3,275 20	3,610 91
20	171 95	3,438 96	3,610 91

3. The Mayor shall sign and issue the debentures and interest coupons and the same shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation, and shall be payable at the Royal Bank of Canada in the Town of Sudbury.

4. For the purpose of paying said debentures as they respectively become due and interest thereon during the currency thereof, the sum of \$3,610.91 shall be annually raised and levied in the same manner and at the same time as other taxes are levied by a special rate over and above all other rates upon all rateable property in the Town of Sudbury, for the period of twenty years.

5. This by-law shall take effect on the day of passing thereof.

Done and passed in open council this 10th day of January, A.D. 1916.

THOS. TRAVERS,
Mayor.

W. J. Ross,
Clerk.

(Seal.)

SCHEDULE "D."

No. of By-law	Nature of Work under By-law.	When Passed by Council.	Total Cost of Work	Amount to be Borne by Corporation.	Amount to be Borne by Ratepayers.	Period of Payment, Years.	Rate of Interest.
453	Local improvement debentures to pay for construction of certain concrete walks.....	Feb. 14th, 1916	\$6,981 06	\$3,571 72	\$3,409 34	10	5%
454	Local improvement debentures to pay for the construction of certain pavements.....	Feb. 14th, 1916	45,643 79	29,784 50	15,859 29	20	5%

CHAPTER 95.

An Act to Incorporate the Village of Thornloe.

Assented to 27th April, 1916.

WHEREAS the inhabitants of the unincorporated Village of Thornloe, in the Territorial District of Temiskaming, and those portions of the Townships of Kerns, Harley, Hilliard and Armstrong, occupied by and adjoining the said village and comprised within the limits hereinafter mentioned have by their petition represented that the proposed limits of the said village contain a population of one hundred and seventy-four inhabitants which is steadily increasing, and of which fifty-five are children of school age; that there is no school situate in the said village or at any place nearer than two miles from it; that the said village is located on the Temiskaming and Northern Ontario Railway and is a shipping and distributing point of importance and the business centre for a large tract of territory and that it would greatly promote the interests and prosperity of the inhabitants of the said village to be incorporated; and whereas it appears that all of the land owners and ratepayers within the said limits, except three persons only, have joined in the petition praying for such incorporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. From and after the passing of this Act the inhabitants of the said unincorporated Village of Thornloe and those portions of the Townships of Kerns, Harley, Hilliard and Armstrong comprised in the limits or boundaries in the second section of this Act mentioned shall be and they are hereby created a corporation or body politic separate and apart from the Townships of Kerns, Harley, Hilliard and Armstrong under the name of "The Corporation of the Village of Thornloe" and shall enjoy all such rights, powers and privileges as are now or shall hereafter be conferred upon incorporated villages in the Province of Ontario.

Village of
Thornloe In-
corporated

Limits of
village.

2. The said Village of Thornloe shall comprise and consist of the following lands, namely, lots numbers one and two in the sixth concession of the Township of Kerns, the north half of lot number one in the sixth concession of the Township of Harley, the south half of lot number one in the first concession of the Township of Hilliard and lots numbers one and two in the first concession of the Township of Armstrong.

First
election
of Council.

3. It shall be lawful for Robert J. Brittain, who is hereby appointed returning officer, to hold a nomination for the election of reeve and councillors at some prominent place in the said village on the first day of May, 1916, at the hour of noon, of the date, time and place of which nomination he shall give one week's notice posted up in at least six conspicuous places in the said village, and he shall preside at such nomination, or in case of his absence the electors present shall choose from among themselves a chairman to preside who shall have all the powers of a returning officer, and the polling for the said election, in the event of there being a poll required, shall be held on the same day of the week in the week next following the said nomination and at the same place, and the duties of the returning officer shall be those prescribed by law in respect of incorporated villages.

Qualifica-
tion at
first
election.

4. At the first election the qualification of the electors and of the reeve and councillors for the said village shall be the same as that required in townships, and at all subsequent elections the qualifications of the electors, and of the reeve, councillors and other officers shall be the same as that required in incorporated villages.

Clerk of
township to
furnish copy
of assess-
ment roll,
etc.

5.—(1) The township clerks of the Townships of Kerns, Harley and Hilliard shall furnish to the returning officer upon demand made by him for the same a certified copy of so much of the last revised assessment roll prepared for the townships respectively as shall be required to ascertain the persons entitled to vote at such first election.

(2) The clerk of the Township of Kerns shall also furnish to the returning officer upon demand a certified copy of so much of the last revised assessment roll prepared for the unorganized Township of Armstrong under the provisions of *The Public Schools Act* as shall be required to ascertain the persons entitled to vote at such first election in respect of lots one and two in the first concession of the Township of Armstrong.

First
meeting
of Council.

6. The reeve and councillors so to be elected shall hold their first meeting at the court room in the said village at ten o'clock in the forenoon of the same day of the week next

next following the polling, and if there shall not be any polling then on the same day of the week next following the nomination.

7. Save as otherwise provided by this Act, the provisions of *The Municipal Act* with regard to matters consequent upon the formation of new corporations and all the other provisions of that Act and of any other general Act which are applicable to incorporated villages, shall apply to the Village of Thornloe.

Application
of provisions
of Rev.
Stat. c. 192.

8. The council of the said village may pass a by-law for taking the assessment of the said village from the first day of January, 1916, to the thirty-first day of December, 1916, between the fifteenth day of July and the fifteenth day of August, 1916; if any such by-law extends the time for making and completing the assessment roll beyond the fifteenth day of August next, then the time for closing the Court of Revision shall be six weeks from the day to which such time is extended and the final return by the District Judge twelve weeks from that day.

By-law for
taking
assessment
for 1916.

9. The expenses of obtaining this Act, and of furnishing any documents, copies of papers, writings, deeds or any matter whatsoever required by the clerk of the said village or other officers of the said village, or otherwise, shall be borne by the said village and be paid by it to any party that may be entitled thereto.

Expenses
of incor-
poration.

10. The said returning officer shall at the nomination provided for in section 3 of this Act receive nominations for six school trustees and the election for such trustees shall, except so far as is otherwise provided by this Act, be held and conducted in conformity with the provisions of *The Public Schools Act*.

Nomination
of school
trustees.

Rev. Stat.
c. 266.

11. The first meeting of the board of public school trustees shall be held on the same day of the week next following the week of the polling, or if there is no polling, on the same day of the week next following the nomination at two o'clock in the afternoon.

First
meeting of
Public
School
Board.

12. Three of the trustees (to be determined by lot at the first meeting of trustees after their election, which determination shall be entered upon the minutes) shall retire from office at the time appointed for the next annual school election, and the other three shall continue in office one year longer and then retire; at the time appointed for the next annual school election and at each succeeding annual school election three trustees shall be elected.

Mode of
retirement
of trustees.

CHAPTER 96.

An Act respecting the City of Toronto.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Corporation of the City of Toronto has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas by an Order-in-Council bearing date October 3rd, 1903, it was intended to declare the southwesterly boundary of the said City of Toronto, but by error the description therein contained was not complete; and whereas it is expedient to correct the said error and define the south and southwesterly boundary of the said City; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Acquisition
of land for
nursery
farm.Rev. Stat.
c. 192.

1.—(1) The Corporation of the City of Toronto may from time to time acquire any land it may deem necessary and suitable for the purpose of a nursery farm (not exceeding 100 acres in area) within twenty-five miles of the limits of the municipality, or may expropriate the same under the provisions of *The Municipal Act*, making due compensation therefor, to be determined by agreement or by arbitration under the said Act as may be found necessary, and for the said purpose may use any of the moneys realized by the sale of debentures issued under the authority of Section 9 of the Act passed in the Fourth year of the reign of His Majesty, King George the Fifth, Chaptered 98.

Assessment
and taxation.

(2) Any land acquired under subsection 1 shall be liable to assessment and taxation by the corporation of the municipality in which the land is situate.

Definition
of certain
boundaries
of city.

2. The south and southwesterly boundary of the said Municipality of the City of Toronto shall be defined as follows:—

“Commencing

"Commencing at the lighthouse on the Island; thence southwesterly to a point on the easterly boundary of the channel of the River Humber distant one thousand feet, measured at a course south sixty degrees three minutes and twenty-two seconds east from the southwesterly angle of the easterly abutment of the new road bridge; thence north sixty degrees three minutes and twenty-two seconds west one thousand feet to the southwesterly angle of the easterly abutment aforesaid."

and such boundary shall be deemed to have been the boundary of the said municipality on and after the third day of October, 1903, and all the area included between the said boundary and the limits of the said municipality as the same existed immediately prior to the third day of October, 1903, shall be deemed to have been included within the limits of the said municipality since the said date.

3. The Council of the said Corporation may appropriate yearly a sum of money sufficient when added to contributions from members of the Fire Department to put the Firemen's Benefit Fund on a sound actuarial basis so as to provide for all claims upon the Fund on such plan of City payments, contributions by members and provision for benefits as shall be approved of by by-law passed by the City Council.

4. *The City of Toronto Debt Consolidation Act, 1889*, 52 V. c. 74 amended. is hereby amended by striking out the words "at a rate not exceeding four and one-half per centum per annum" in the sixth and seventh lines of section 5 thereof, as amended Sec. 5 amended. by section 7 of the Act passed in the third and fourth years of the reign of His Majesty King George V, Chaptered 124, and inserting in lieu thereof the words "at such rate as the council of the said corporation may determine."

5. Section 9 of the Act passed in the fourth year of the reign of His Majesty King George the Fifth, chaptered 98, is amended as follows:—

(a) By inserting after the word "playgrounds" in the eighth line thereof the words "and for boulevards and drives";

(b) By striking out from the ninth line thereof the words "within one mile of the limits thereof," and by inserting in lieu thereof the words "in any adjoining local municipality."

Power to
borrow
money for
certain
purposes
without
consent of
electors.

6. The council of the said corporation may, without submitting the same to the electors qualified to vote on by-laws for the creation of debts, pass a by-law or by-laws for the issue of "Toronto Consolidated Loan Debentures" to raise the sum of \$377,810 for the following purposes:—

PARKS DEPARTMENT.

Work—Part of Harbour reclamation scheme in Humber and High Park.

Reclamation of Catfish Pond, High Park.

Sand filling	\$45,000 00	
Drain construction, etc.	8,140 00	
Earth top-dressing	15,600 00	
	<hr/>	\$68,740 00

WORKS DEPARTMENT.

Storm overflow sewer for relief of Hogarth, Broadview, Bain and Logan Avenues	\$40,000 00	
Reconstruction of sanitary sewer on Wilton Avenue, from Broadview Avenue to Bolton Avenue	10,270 00	
Extension of Rosedale Creek sewer, from High Level Pumping Station (Water- works) to St. Clair Avenue.	137,300 00	
Construction of storm overflow sewer on Pape Avenue, from Danforth Avenue to north city limit	28,000 00	
Construction of storm overflow sewer for relief of Yonge Street, from Rosedale Creek to Lawton Avenue and the district tributary thereto; and on Lawton Avenue, from Yonge Street to Gormley Avenue	93,500 00	
	<hr/>	309,070 00
Total		\$377,810 00

CHAPTER 97.

An Act respecting the Town of Walkerville.

Assented to 27th April, 1916.

WHEREAS the Municipal Corporation of the Town Preamble.
of Walkerville has by petition represented that a large number of its population are employed in the City of Detroit where it is impossible for the voters to obtain leave from their work for the purpose of voting before the hour of five o'clock in the afternoon, and that it is desirable that the polls should be kept open until seven o'clock in the afternoon; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Council of the Corporation of the Town of Walkerville may by a by-law passed before the 15th day of November in any year extend the time to keep open the polls at all municipal elections held thereafter until seven o'clock in the afternoon of the day of election notwithstanding anything contained in *The Municipal Act*. Time for polling.
Rev. Stat.
c. 192.

CHAPTER 98.

An Act respecting the City of Windsor and the Towns of Walkerville, Sandwich, Ford City and Ojibway, and the Township of Sandwich West.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Corporation of the City of Windsor and the Corporations of the Towns of Walkerville, Sandwich, Ford City and Ojibway and the Township of Sandwich West, have by their petition represented that the said Municipalities each requires and either has or is about to construct a system of sewerage, and requires therewith a plant for the treatment and disposal of the sewage therefrom. That the said Municipalities are situate on the shore of the River Detroit and are adjoining Municipalities, and so situate that the sewage of the system of sewerage for each of the said Municipalities could be discharged into a main trunk sewer commencing in or near to the Town of Ford City and running southerly parallel to the River Detroit through all of the said Municipalities and be treated and disposed of by a plant for the treatment and disposal of sewage situate in or near to the Town of Ojibway, and that a large reduction in the aggregate cost of construction and maintenance and in operating expenses would thus be effected. That in view of the circumstances above mentioned the said Corporations have by their said petition prayed that they be granted power to construct a trunk sewer and a plant for the treatment and disposal of the sewage of the said Municipalities as aforesaid as a joint public work for the joint use of all the said Municipalities. That the said Corporations have by their said petition further represented that each of the said Corporations requires and either has or is about to construct a waterworks system, and requires a supply of water for the same. That an adequate supply of pure water for all of the said Municipalities can be obtained from the River Detroit at or near to the said Town of Ford City, and be pumped by one waterworks plant and conveyed by a water main or water mains of sufficient capacity from the source of supply southerly through all of the said Municipalities and supply each of the said Municipalities

palities with water through its own system of waterworks, and that a large reduction in the aggregate cost of construction and maintenance and in operating expenses would thus be effected; and whereas the said Corporations have by their said petition prayed that they may be granted power to construct a waterworks plant and all such other plants and works as may be necessary and such water main or water mains as may be necessary to provide an adequate supply of water for the said Municipalities as a joint public work; and whereas the said Corporations have by their said petition also prayed that a commission may be incorporated to construct, maintain and operate the said joint public works, for and on behalf of the said Corporations; and whereas it is expedient to grant the prayer of the said petition as herein-after set forth;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Essex Border Utilities Act*. Short title.

2. In this Act, except in so far as the provisions of this section would give to any word or words, expression or clause an interpretation inconsistent with the context: Interpretation.

(a) "Windsor" shall mean the Corporation of the City of Windsor;

(b) "Walkerville" shall mean the Corporation of the Town of Walkerville;

(c) "Sandwich" shall mean the Corporation of the Town of Sandwich;

(d) "Ford City" shall mean The Corporation of the Town of Ford City;

(e) "Ojibway" shall mean the Corporation of the Town of Ojibway;

(f) "Sandwich West" shall mean the Corporation of the Township of Sandwich West;

(g) "Council" shall mean the Council of such one of the Corporations named in this section as the same and the context shall refer to;

(h)

- (h) "Councils" shall mean the Councils of all the said Corporations, or of such two or more of the said Corporations as the context shall refer to;
- (i) "The Commission" shall mean "The Essex Border Utilities Commission";
- (j) "Engineer" shall mean an engineer employed by "The Essex Border Utilities Commission";
- (k) "Construct" shall include reconstruct wholly or in part from time to time, as may be deemed necessary or expedient;
- (l) "The Commission" shall mean "The Essex Border Utilities Commission," in this Act provided for;
- (m) "Municipal Board" shall mean the Ontario Railway and Municipal Board.

Commission
—how com-
posed.

3.—(1) For the purposes hereinafter mentioned there shall be a Commission of twelve persons, six of whom shall be *ex officio* members, and six of whom shall be appointed as follows:—

The Mayor of Windsor shall be *ex officio* a member of the Commission, and the electors of Windsor shall every five years elect one person to be a member of the Commission. The person so elected and his successors shall each hold office for the term of five years.

The Mayor of Walkerville shall be *ex officio* a member of the Commission, and the electors of Walkerville shall every five years elect one person to be a member of the Commission. The first person so elected shall hold office for the term of four years, and his successors shall each hold office for the term of five years.

The Mayor of Sandwich shall be *ex officio* a member of the Commission, and the electors of Sandwich shall every five years elect one person to be a member of the Commission. The first person so elected shall hold office for the term of three years, and his successors shall each hold office for the term of five years.

The Mayor of Ford City shall be *ex officio* a member of the Commission, and the electors of Ford City shall every five years elect one person to be a member of the Commission. The first person so elected shall hold office for the

term

term of two years, and his successors shall each hold office for the term of five years.

The Mayor of Ojibway shall be *ex officio* a member of the Commission, and the electors of Ojibway shall every five years elect one person to be a member of the Commission. The first person so elected shall hold office for the term of one year, and his successors shall each hold office for the term of five years.

The Reeve of Sandwich West shall be *ex officio* a member of the Commission, and the electors of Sandwich West shall every five years elect one person to be a member of the Commission. The first person so elected shall hold office for the term of one year, and his successors shall each hold office for the term of five years.

The Commission shall be a body corporate and politic, under the name of "The Essex Border Utilities Commission."

(2) The council of each of the said municipalities shall by by-law appoint one person to be a member of the Commission for the year 1916, and until his successor is elected at the annual municipal election in the year 1917. ^{Appoint-ments for 1916.}

(3) When a vacancy in the membership of the Commission occurs from any cause the proper Council in that behalf shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was elected. ^{Vacancies.}

(a) Any elected member of the Commission whose term of office has expired shall be eligible for re-election;

(b) No person while he is a member of a Municipal Council shall be a member of the said Commission.

(4) The said Commission shall have power to acquire, establish, construct, maintain, control and operate the works hereinafter authorized and provided for and shall have all powers necessary for that purpose, including the powers hereinafter expressly conferred upon the Commission. ^{Powers of Commission.}

(a) The Commission shall annually at a meeting to be held in the month of January, elect one of the members thereof to be Chairman of the Commission, who shall hold office for one year and until

his

his successor is elected. The Chairman shall preside at all meetings of the Commission at which he is present, and in the absence of the Chairman the members present shall elect one of such members to preside at the meeting;

- (b) A majority of the Commissioners shall constitute a quorum;
- (c) The Commission shall have a common Seal and may from time to time alter or change the same;
- (d) The Commission may appoint a Secretary, a Chief Engineer, and such other officers, engineers, accountants, servants and workmen as may be deemed requisite. The salaries or other remuneration of the persons so appointed shall be fixed by the Commission;
- (e) Any contract entered into by the Commission and sealed with the Seal and signed by the Chairman and Secretary thereof shall be binding upon the Commission;
- (f) The Commission shall keep proper records and books, including books of account, in which shall be recorded and entered the business of the Commission;
- (g) Section 41 of *The Public Utilities Act* shall apply to the Commission in so far as the same is applicable;
- (h) The members of the Commission shall serve without salary;
- (i) The Commissioner elected or appointed by any municipality may reside in any other of the above-mentioned municipalities, but otherwise the provisions of Parts 2, 3 and 4 of *The Municipal Act* which are applicable to members of the council of a local municipality shall apply *mutatis mutandis* to the members of the Commission.

TRUNK SEWER.

Construct-
ing trunk
sewer.

4.—(1) The Commission may construct, maintain and operate a trunk sewer from a point in or near to the Town of Ford City, through the Town of Walkerville, the City of Windsor, and that part of the Township of Sandwich West described

described in Schedule "A" hereto, and the Towns of Sandwich and Ojibway to a point in or near to the Town of Ojibway, and in connection therewith shall construct, maintain and operate such pumping plant or pumping plants, if any, as may be required for the effective operation of the same, and also in connection with the said trunk sewer shall construct, maintain and operate a plant for the treatment and disposal of the sewage from the said trunk sewer, at a point in or near to Ojibway.

(2) The said trunk sewer shall have such sectional area and carrying capacity as will efficiently convey all the sewage from the sewers or system of sewerage of each of the said Municipalities to the said plant for treating and disposing of the same.

(3) The sewers or system of sewers of the City of Windsor, Towns of Walkerville, Sandwich, Ford City and Ojibway, and of that part of the Township of Sandwich West described and referred to in Schedule "A" hereto or such of them as shall approve by vote as provided in section 17, may be connected with the said trunk sewer and discharge the sewage of the said Municipalities and of the said part of Sandwich West into the same. Such connections shall be made by the engineer of the Commission, according to plans and specifications made by such engineer. The cost of making such connections shall be borne and paid by the said Corporations respectively for which the same are made.

(4) The provisions of Part XV of *The Municipal Act* shall apply to the Commission in all respects, and the Commission shall have and may exercise the powers thereby conferred upon a Municipal Corporation or upon the Council of a Municipal Corporation.

WATERWORKS.

5.—(1) The Commission may construct, establish, maintain and operate waterworks in or within fifteen miles of the Town of Ford City, and may acquire by purchase or otherwise and may enter on and expropriate any lands, waters and water privileges and the right to divert any lake, river, pond, spring or stream of water within the said town or within fifteen miles thereof, as may be deemed necessary for waterworks purposes or for protecting the waterworks, for preserving the purity of the water supply or pumping or purifying the water.

Construction
of water-
works
system.

(2) The Commission shall convey and deliver the water to the City of Windsor, the Town of Walkerville, the Town of Sandwich

Sandwich, the Town of Ford City, the Town of Ojibway, and that part of the Township of Sandwich West described in Schedule "A" hereto, or such of them as shall approve by vote as provided in section 17, and for that purpose may sink and lay down a main water pipe or main water pipes, and construct works, tanks, reservoirs and other conveniences at such place or places in or near to any of the said Municipalities as may be required, and may from time to time alter their location or construction as may appear advisable. Each of the said Municipalities may construct its waterworks system with the said works for the purpose of receiving the water. Such connection shall be made at such place and in such manner as the Commission may direct, and according to plans and specifications made by the Engineer and under his direction and superintendence.

(3) For the purpose of carrying into effect the objects mentioned in subsections (1) and (2) of this section the Commission shall have and may exercise the powers conferred upon the Corporation of a local Municipality by section 5 of *The Public Utilities Act*, Revised Statutes of Ontario, 1914, Chapter 204, and the provisions of Part XV of *The Municipal Act* shall apply to the Commission, and the Commission shall have and may exercise the powers thereby conferred upon a Municipal Corporation or the Council thereof.

How money
to be pro-
vided for
works.

6. All moneys required for the general purposes of the Commission and all moneys required to pay the cost of the works authorized by and undertaken under the authority of this Act shall be provided by Windsor, Walkerville, Sandwich, Ford City, Ojibway and Sandwich West, in the proportions to be ascertained and determined under the provisions of this Act.

Payment
over to
Commission.

7. The moneys required by the Commission shall be provided and paid over to the Commission from time to time on the application of the Commission. The application may state a total sum required at the time of making such application and the portion thereof required from and payable by each of the said Corporations.

(a) The application shall be in writing and sealed with the Seal of the Commission and signed by the Chairman and Secretary, and may be in the form set forth in Schedule "B" or to the like effect. A duplicate original of such application shall be delivered to the Clerk of each Corporation.

Application
for money,
when to be
made

8. No application for money for any such works shall be made to any of the said Municipalities until after the preliminary

liminary reports provided for in section 15 have been filed and the approval of the electors of such Municipality has been obtained under section 17.

9. The sum stated in any such application when made, as payable by any of the said Corporations, shall be a debt due by such Corporation to the Commission and may be recovered by the Commission from such Corporation by suit in any Court of competent jurisdiction.

Recovery of money by Commission from corporations.

- (a) The application as made or as amended by the Municipal Board on appeal shall be conclusive evidence that the sum mentioned in such application is due and payable to the Commission.

10. All moneys required by the Commission until the construction of some one of the works in this Act provided shall, so far as possible, be deemed to be part of the cost of such works and an expenditure on capital account, and any cost or expense not properly chargeable to any particular work shall be borne by the Municipalities in equal proportion.

What to be included in cost of works.

11. The Council of each of the said Corporations shall, save as provided in section 10, pay the moneys required by the Commission which are not properly chargeable to any particular work out of the current revenue of the Corporation.

What money to be paid out of current revenue.

12. The Council of each of the said Corporations may from time to time pass a by-law or by-laws authorizing the borrowing of money on the credit of the Corporation at large by the issue and sale of debentures to pay the moneys required by the Commission to defray the cost of the works provided for in this Act.

Borrowing money by issue of debentures.

- (a) The Council may include in the loan the estimated cost of the issue and sale of the debentures and any discount allowed to the purchasers;
- (b) The debentures may run for a term not exceeding thirty years from the time the same are issued;
- (c) The provisions of *The Municipal Act* relating to by-laws for creating debts shall apply to a by-law passed under the authority of this section, except that it shall not be necessary that the by-law be submitted to or receive the assent of the electors, and also except that in by-laws passed by the Council of Sandwich West the rates imposed by the

the by-law to provide for the payment of the principal and interest of the debentures shall be imposed upon the rateable property of the portion of the Township described in Schedule "A" to this Act.

Assent by
Council of
Ojibway.

13. Notwithstanding the provisions of this Act, wherever it is provided that the electors shall assent to or do any act, the same shall not apply to the Town of Ojibway until after the 31st day of December, 1919, and until such time the assent of the majority of the Council of the said town shall be a sufficient compliance with the provisions of this Act.

Proportions
of cost to be
borne by
each
corporation.

14. The cost of the construction, maintenance and operation of works authorized by this Act and moneys required by the Commission for general purposes shall be borne and paid by Windsor, Walkerville, Sandwich, Ford City, Ojibway and Sandwich West in the proportion in which the said Corporations will be benefited by the said works. Such proportion shall be ascertained and determined by the Engineer or Engineers employed by the Commission.

Employment
of engineer
for pre-
liminary
work.

15. The Commission shall, before undertaking any work provided for by this Act, employ an engineer to make a preliminary examination and survey of the location of each of the proposed works and a separate report upon and an estimate of the cost of each of the said works. The Commission shall file a copy of each of the said reports and estimates with the Clerk of each of the said Corporations.

(2) The cost of the preliminary examinations, surveys, reports and estimates shall not exceed the sum of five thousand dollars.

Appeal to
Municipal
Board re
proportions
of cost.

16. Any Council not satisfied with the apportionment made by said report may, within thirty days after the filing of the said report with the Clerk, appeal therefrom to the Municipal Board by notice of such appeal served upon the head or the Clerk of each of said Corporations, and in that event the question of the said proportions shall stand referred to and be decided by the Municipal Board. Any of the Councils may assume and undertake the conduct of the proceedings before the Municipal Board.

(a) The proceedings on such appeal or on such reference to the Municipal Board shall be in accordance with the rules and practice of the Board;

(b)

- (b) The Municipal Board shall decide upon and determine the said proportions, and the decision of the Municipal Board shall be final. A duplicate of the order of the Municipal Board shall be filed with the Commission.

17.—(1) The Councils shall, after receiving the preliminary reports and estimates provided for in the preceding section, submit the questions hereinafter stated, or either of the said questions, to the electors of the said Corporations qualified to vote thereon. The question or questions shall be submitted to the electors under the provision of Part X of *The Municipal Act*. Submission of questions to electors.

(2) In Sandwich West the question or questions shall be submitted to the electors in that part of the Corporation described in Schedule "A" to this Act, and no others.

(3) The electors qualified to vote on the said questions shall be the persons qualified to vote on a money by-law under the provisions of section 265 of *The Municipal Act*.

(4) The following are the questions above mentioned:

(a) "Do you approve of constructing the trunk sewerage works authorized by *The Essex Border Utilities Act* the total cost of which is \$ _____ and the estimated cost to this Municipality is \$ _____."

(b) "Do you approve of constructing the waterworks authorized by *The Essex Border Utilities Act*, the total cost of which is \$ _____, and the estimated cost to this Municipality is \$ _____."

18. In the event of the electors of any Corporation not approving of the construction of the works referred to in the question or questions submitted to the electors, the cost of the said preliminary surveys, reports and estimates shall be borne by all of the said Corporations in equal shares, and the amount payable by each Corporation shall be a debt payable by such Corporation to the Commission. Upon receiving from the Commission an application for payment thereof, as hereinbefore provided, the Corporation shall forthwith pay the same: but in the event of the electors of all the Corporations approving of the construction of the works referred to in the question, or in any one of the questions submitted, then such cost shall be deemed to be part of the cost of the work, the construction of which is approved of. Cost of preliminary surveys, reports and estimates—how borne.

Resubmis-
sion of
questions.

19. In the event of the electors of any Corporation not approving of the construction of any of the works referred to in the question or questions submitted to them as herein provided, the Commission may, by requisition to each Council, require resubmission of the questions as set out in section 17 hereof to the electors of any three or more of the said Municipalities showing the total cost and the proportions payable by each Municipality altered as occasion may require.

Construc-
tion of
works when
approved
by three or
more cor-
porations.

20. In the event of the electors in three or more of the Corporations approving of the construction of any of the works, the Commission may, with the approval of the electors of such Corporations, or any three of them, proceed with the construction of the works approved of, for the use and benefit and at the cost of the Corporations lastly mentioned, and the provisions of this Act and the powers of the Commission shall apply to the Corporations for the benefit of which such work or works are being constructed.

Retirement
of commis-
sioners of
corporation
disapprov-
ing of con-
struction
of works.

21. In the event of the electors of any Corporation not approving of the construction of any of the works referred to in the question or questions submitted to them as herein provided, the head of such Corporation and the Commissioner elected by the Council of such Corporation shall cease to be members of the Commission, and the remaining Commissioners shall constitute the said Commission, and a majority of the remaining Commissioners shall constitute a quorum.

SCHEDULE "A."

All that part of the Township of Sandwich West in the County of Essex, bounded as follows:—

On the North-West by the Detroit River; on the North-East by the Westerly limit of the City of Windsor from the Detroit River to its intersection with the extension in a straight line Westerly of that portion of the Tecumseh Road now forming the Southerly boundary of the City of Windsor;

On the South-East by the extension Westerly of said last mentioned line to the Huron line, that part of the Huron line between the Tecumseh Road and the Malden Road and that part of the Malden Road between the Huron line and Reaume Avenue on the South-West by Reaume Avenue and the projection of the Westerly limit thereof in a straight line to the Detroit River.

SCHEDULE "B."

THE ESSEX BORDER UTILITIES COMMISSION.

Application No. _____, made under *The Essex Border Utilities Act.*

To the Councils of the Corporations of Windsor, Walkerville, Sandwich, Ford City, Ojibway and Sandwich West.

The Essex Border Utilities Commission hereby applies for the sum of \$ _____ for expenditures on Capital Account, (or) for general purposes.

The said sum is apportioned as follows:

Windsor	\$
Walkerville	\$
Sandwich	\$
Ford City	\$
Ojibway	\$
Sandwich West	\$

Dated this day of 191

(Seal)

Chairman.

Secretary.

Note.

Do not include moneys required for expenditures on Capital Account and moneys required for general purposes in the same application.

CHAPTER 99.

An Act to Confirm certain By-laws and an Agreement between the Townships of Yarmouth and Malahide.

Assented to 27th April, 1916.

Preamble.

Rev. Stat.
c. 192.

WHEREAS the Municipalities of the Townships of Yarmouth and Malahide have by their petition represented that pursuant to By-laws Numbers 886 and 947 of the said respective corporations, they have entered into an agreement, which said By-laws and agreement are set out as schedules "A," "B," and "C" hereto; and whereas, under the provisions of *The Municipal Act*, agreements respecting the maintenance of Town Line roads can be entered into between municipalities for a period not exceeding ten years only; and whereas the said corporations have by their petition prayed for an Act ratifying and confirming the said By-laws and agreement; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-laws 886
of Township
of Yarmouth,
947 of Township
of Malahide
and agree-
ment
confirmed.

1. By-law Number 886 of the Township of Yarmouth and By-law Number 947 of the Township of Malahide, and the agreement entered into between the said municipalities, dated December 15th, 1915, set out in Schedules "A," "B" and "C" hereto, are confirmed, and declared to be legal, valid and binding.

SCHEDULE "A."

BY-LAW NO. 886 OF THE CORPORATION OF THE TOWNSHIP OF YARMOUTH.

By-law to authorize and approve of an agreement between the Townships of Yarmouth and Malahide for the maintenance of roads used in lieu of the town line.

Whereas differences exist between the Townships of Yarmouth and Malahide as to whether certain roads within the said municipalities are roads used in lieu of the said town line;

And whereas an agreement has been arrived at between the said townships for the purpose of providing for the settlement of their said differences;

Now therefore the council of the Corporation of the Township of Yarmouth enacts as follows:—

1. That the reeve and clerk of this corporation be and they are hereby authorized and required to execute the agreement between the Corporation of the Township of Malahide and this Corporation, a copy whereof is hereto attached, and to affix the corporate seal thereto and to deliver such agreement when so executed to the Corporation of the Township of Malahide, upon receipt of a counterpart thereof duly executed by the said Corporation of the Township of Malahide.

Dated at Yarmouth Centre and finally passed this 15th day of December, A.D. 1915.

(Sgd.) W. F. SMITH,
Reeve.

(Sgd.) W. C. CAUGHELL,
Clerk.

(Corporate Seal of the
Township of Yarmouth.)

SCHEDULE "B."

BY-LAW NO. 947 OF THE CORPORATION OF THE TOWNSHIP OF MALAHIDE.

By-law to authorize and approve of an agreement between the Townships of Yarmouth and Malahide for the maintenance of roads used in lieu of the town line.

Whereas differences exist between the Townships of Yarmouth and Malahide as to whether certain roads within the said municipalities are roads used in lieu of the said town line;

And whereas an agreement has been arrived at between the said townships for the purpose of providing for the settlement of their said differences;

Now therefore the council of the Corporation of the Township of Malahide enacts as follows:—

1. That the reeve and clerk of this corporation be and they are hereby authorized and required to execute the agreement between the Corporation of the Township of Yarmouth and this corporation, a copy whereof is hereto attached, and to affix the corporate seal thereto and to deliver such agreement when so executed to the Corporation of the Township of Yarmouth, upon receipt of a counterpart thereof duly executed by the said Corporation of the Township of Yarmouth.

Dated

Dated at Aylmer and finally passed this sixth day of December,
A.D. 1915.

(Sgd.) G. FRANK PINEO,
Reeve.

(Sgd.) JOHN M. HALE,
Clerk.

(Corporate seal of the
Township of Malahide.)

SCHEDULE "C."

Memorandum of Agreement made this fifteenth day of December in
the year of our Lord 1915.

Between

The Corporation of the Township of Yarmouth, of the first part,
and

The Corporation of the Township of Malahide, of the second
part.

Whereas the parties hereto are adjoining municipalities in the
County of Elgin;

And whereas the original town line between the said Townships
south of Talbot Road is intersected by and falls upon deep ravines
and gulleys which have made it impossible to open the same ex-
cept for very short distances;

And whereas differences exist between the parties hereto as to
whether certain roads within the said municipalities are roads used
in lieu of the said town line;

And whereas it has been agreed by and between the parties hereto
that for the purpose of settling the said differences the said parties
hereto shall each for themselves for all times hereafter from the date
of this agreement, maintain and keep in repair all roads lying
wholly within their respective boundaries, without reference to whe-
ther the same are or have been roads used in lieu of the town line,
and shall each indemnify and save harmless the other from or on
account of any loss, cost or damage arising out of the want of repair
or otherwise by reason of any such road within their respective
boundaries;

Now this agreement witnesseth that in consideration of the
premises and in consideration of the mutual covenants and agree-
ments hereinafter contained, the parties hereto do hereby covenant
and agree the one with the other in the manner following:—

1. The said parties hereto covenant and agree each with the
other that from and after the date of this agreement they shall
and will forever hereafter assume, maintain and keep in repair all
roads wholly within the boundaries of their respective municipali-
ties without regard to any contention that may have been hereto-
fore and might hereafter be raised that the said roads were or had
been roads used in lieu of a town line, and that they will each
indemnify and save harmless the other from or on account of any
loss, cost, claim or demand that may at any time hereafter arise
or be made by reason of the non-repair of any such road within
their respective boundaries, the intention being that each munici-
pality shall be liable to maintain and repair, and shall maintain
and repair all roads within its own boundaries, and shall indemnify
the other from all loss, cost, claim or demand on account of such
roads.

2. Nothing herein contained shall impose on the said Townships of Yarmouth and Malahide, or either of them, any obligation to maintain or keep in repair any roads used in lieu of the said town line and maintained by the County of Elgin or any bridges now maintained by the County of Elgin on roads used in lieu of the town line and particularly the bridges known as the "Gillett Bridge" over Catfish Creek east of Sparta and just west of the town line in the said Township of Yarmouth, the "Jamestown Bridge" over Catfish Creek just west of the town line in the said Township of Yarmouth, and the "Port Bruce Bridge" over Catfish Creek just east of the town line in the Township of Malahide, the intention of this agreement being that the said parties hereto shall respectively maintain within their respective boundaries all and every road whether heretofore used in lieu of the town line or not save and except such roads and bridges as are now and have been heretofore maintained and kept in repair and built by the Corporation of the County of Elgin.

3. And it is hereby further agreed by the parties hereto that they will each join in an application to the Legislature of the Province of Ontario at the next sittings thereof for the purpose of obtaining legislation confirming this agreement, and that they will each pay and provide one-half of the cost of and in connection with such application.

In witness whereof the said Corporations have caused their respective Corporate Seals to be affixed hereto, attested by the hands of their respective Reeves and Clerks.

(Sgd.) W. F. SMITH,
Reeve.

(Sgd.) W. C. CAUGHELL,
Clerk.

(Corporate Seal of the
Township of Yarmouth).

(Sgd.) G. FRANK PINEO,
Reeve.

(Sgd.) JOHN M. HALE,
Clerk.

(Corporate Seal of the
Township of Malahide).

CHAPTER 100.

An Act respecting the Township of York.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Municipal Corporation of the Township of York has by petition represented that the said township lies adjacent to the City of Toronto and that certain sections thereof are thickly populated and it is advisable that a supply of water should be obtained for the benefit of these sections; and whereas the Corporation by its petition has prayed for the passing of an Act to enable it to assess the entire cost of establishing a water system and supplying water for the benefit of any section in the township against the lands within the section benefited, no part of the cost being borne by the Corporation at large; and that the City of Toronto be compelled to supply water for the use of the residents of such portions of the Township of York as may be mutually agreed upon, or in case of failure to agree, as may be determined by The Ontario Railway and Municipal Board; and that a proposed agreement between the said city and township shall be legal, valid and binding when executed by the parties thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to
construct
waterworks
system
and how
cost of
trunk
mains is
borne.

1. The Municipal Corporation of the Township of York may pass by-laws:

(a) To construct, maintain and operate a system of waterworks for any defined sections or areas of the said Township;

(b) To require that the whole cost of construction of the trunk mains of any such waterworks system, including any claim for compensation for damages arising out of or incidental to the same, shall be raised by a special rate on all the rateable property in such section or area according to the last revised assessment roll.

(c)

- (c) To provide that all branch water mains, service pipes, hydrants, stop cocks and appliances of any such waterworks system, including that part of the work at street intersections, shall be constructed as a local improvement under and pursuant to the provisions of subsection 2 of section 51 of *The Local Improvement Act* as enacted by section 9 of chapter 35 of the Acts passed in the 5th year of the reign of His Majesty King George the Fifth.

2. The said Corporation may from time to time borrow upon the credit of the said Corporation at large such sum or sums as may be necessary to defray the cost of the construction of such trunk mains of the said waterworks system, but the whole of the said cost shall be raised by the special rate mentioned in clause (b) of section 1.

Power to borrow for trunk mains.

3. The whole annual cost of maintenance, management and repair of such waterworks system, including trunk mains, branch mains, hydrants, service pipes, stop cocks and appliances in any section or area shall also be raised by a special rate on all the rateable property in such section or area according to the last revised assessment roll.

How cost of maintenance is borne.

4. The revenues arising from the supplying of water or from the property connected with the system of waterworks in any section or area, after providing for the expenses of the maintenance of the said waterworks in any year, shall form part of the funds for the maintenance and management of the said waterworks in the said section or area for the following year or years.

Application of revenues.

5. It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of this Act, but no such by-law shall be finally passed by the council until a certificate shall have been obtained from the Ontario Railway and Municipal Board approving of such by-law.

Approval of by-law by Ontario Railway and Municipal Board.

6. Every such by-law, when the same has been approved by the Ontario Railway and Municipal Board and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the Corporation and upon the lands liable for the rate imposed by or under the authority of the by-law and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any Court.

Approved by-law and debentures valid.

Water supply confined to section served.

7. The said Corporation shall not be obliged to supply water for the use of persons or institutions not within such section or area.

City of Toronto required to furnish supply of water to Township.

8. The Municipal Corporation of the City of Toronto shall permit the Municipal Corporation of the Township of York to connect water mains laid in the said Township of York with the water system of the said City of Toronto and shall supply water for the use of residents of such portions of the Township of York and upon such terms and conditions as may be mutually agreed upon or in case of failure to agree as may be determined by The Ontario Railway and Municipal Board.

Power to enter into agreement with City of Toronto.

9. The Municipal Corporation of the Township of York and the City of Toronto are hereby authorized to enter into the proposed agreement set forth in schedule "A" hereto and upon the same being executed by the parties thereto it shall be legal, valid and binding.

SCHEDULE "A."

SECTION 9.

Memorandum of agreement made this day of
A.D. 1916.

Between

The Corporation of the City of Toronto (hereinafter called the "City"), of the first part,

and

The Corporation of the Township of York (hereinafter called the "Township"), of the second part.

1. Whereas the said Township is desirous of purchasing a supply of water from the said City, the said City agrees to sell water to the said Township upon the terms and conditions hereinafter set out.

2. The said City agrees to supply water to the said Township. The points of contact between the two municipalities at which water shall be supplied and the manner thereof shall be determined by the Commissioner of Works.

3. The supply shall be metered at such points of contact to measure the quantity of water supplied, and the said Township shall pay for the purchase and installation of such meters, recorders, recorder houses, meter houses, meter chambers, drains, and everything connected therewith, but the City shall maintain such meters in repair, free of cost to the Township. The said Township shall, during the winter months at its own cost, continuously heat all recorder houses.

4. The said Township shall pay for such supply of water so metered in accordance with the quantity which the meter or meters shall record.

5. Should any meter or meters for any reason fail to record accurately or fail to record at all, the consumption is to be averaged and paid for by the said Township, for such period of failure, on the basis of the consumption for the three months preceding such failure, or the three months succeeding the time when such meter or meters have been placed in proper and efficient working order, as the Commissioner of Works shall determine.

6. The said Township shall pay to the said City at the rate of 20 cents per 1,000 imperial gallons.

7. The said Township agrees with the said City to pay to the said City the amount charged for the supply of water as provided herein immediately upon receiving an account from the City therefor.

8. The said Township shall not be entitled to any rebate from the City on account of water registered or passed by the meter and for which the said City may call upon the said Township to pay.

9. The said Township, at its own expense, will supply and instal all necessary mains, hydrants, valves, recorders, meters, meter houses, apparatus and services according to plans, profiles and specifications to be approved by the Commissioner of Works of the said City and under the supervision and inspection of the said Corporation, the said Township agreeing to pay the cost of such supervision and inspection.

10. The said Township agrees that all mains, hydrants, services, fittings and appliances which they lay, instal, furnish or maintain, shall be of the size, kind, quality and type required by the Commissioner of Works, and shall fulfil all requirements by way of structure and test which like articles supplied and used by the said City from time to time may be required to fulfil or withstand.

11. The said Township shall provide and locate all valves, fittings and appliances in such position as may be approved by the said Commissioner of Works.

12. When and as often as the said Township propose to lay a water main, or mains, to be fed from the City supply, the said Township shall notify the Commissioner of Works of the said corporation and submit a plan with said notification of the district to be supplied, such plan to show profiles and widths of the streets on which the main or mains are proposed to be laid, together with the size and location of mains, hydrants, valves and appliances and like information pertaining to other services and utilities already installed, and a profile of the main as proposed to be laid.

13. The Commissioner of Works for the said City shall, within four weeks after receipt of said notice, express approval or disapproval of the plans submitted, or any other objection which he has to urge under the terms and provisions of this agreement. The contemplated works shall not be proceeded with until the Commissioner of Works shall have given his approval thereto, but such Commissioner shall not withhold such approval except for good and just reason.

14. Should the Township at any time deem it necessary to alter the grade of any street in which a main has been laid, within the said Township, such main shall be re-laid forthwith upon the demand of the Commissioner of Works and at the sole expense of the said Township.

15. The Township shall notify the Commissioner of Works whenever it does any grading upon any thoroughfare upon which a water main is laid when such grading reduces the covering of the water main below 5' 6".

16. The said City hereby agrees with the said Township to make repairs to the system of distributing mains of the said Township served under this agreement, at as early a time as practicable after notification, first having regard for the needs of the City. This provision shall not extend to the services installed by the said Township and fed from such mains.

17. The aforesaid repairs shall be made at the expense of the Township, which agrees to make payment for such repairs immediately upon receiving account from the said City therefor.

18. The said City reserves the right to at any time manipulate valves, or anything connected with the water supply, within the City limits for its own use and protection. If this shall diminish, interrupt or cut off the supply from the said Township the said City shall not in any way be liable to the said Township on account thereof. This provision shall not be construed as giving the City the right of discontinuing any supply to the Township under this agreement.

19. The said City undertakes to exercise all due care and diligence in order to effect the intent of this agreement, but shall not be liable for any interruption, lack of continuity or variation in pressure of the water supply from any cause whatever.

20. Upon the annexation of all or any part of the said territory of the said Township supplied with water under this agreement, the said City shall assume all outstanding debenture indebtedness incurred for the purpose contemplated by this agreement for that portion of the territory actually annexed, but only for the unexpired term of such debentures dated from the date of annexation; adjustment to be made between the parties as of date of annexation.

21. The rates provided for in this agreement may at any time be changed by mutual agreement as hereinafter provided.

22. If the said Township shall at any time fail to carry out the provisions of this agreement or any of them after receiving twenty days' notice from the City and failing to carry out the same it shall forthwith cease to have any rights thereunder.

23. Any differences arising at any time between the said City and the said Township under this agreement, or any matters relative thereto, either party may apply to the Ontario Railway and Municipal Board for the settlement of such differences.

24. This agreement shall be validated by legislation.

25. In witness whereof the parties hereto have caused their respective Corporate Seals to be hereunto affixed, attested by the hands of their proper officers, the day and year first above written.

CHAPTER 101.

An Act to incorporate Buffalo and Fort Erie Ferry
and Railroad Company.*Assented to 27th April, 1916.*

WHEREAS Frank V. E. Bardol, of the City of Buffalo, Preamble.
in the State of New York, Alexander Fasken, of the
City of Toronto, in the County of York, Barrister-at-Law,
James Oscar Buckley, of the City of Toronto, aforesaid, Bar-
rister-at-Law, Duncan McArthur of the City of Toronto,
aforesaid, Barrister-at-Law, and George Herbert Sedgewick,
of the City of Toronto, aforesaid, Barrister-at-Law, have
prayed for incorporation under the name of "Buffalo and
Fort Erie Ferry and Railroad Company," and for power to
acquire and take over the assets and property formerly owned
by The Buffalo and Fort Erie Ferry and Railway Company,
and now owned by the said Frank V. E. Bardol, and for
other powers; and it is expedient to grant the prayer of the
said petition;

Therefore His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. The said Frank V. E. Bardol, Alexander Fasken, Dun-Incorpora-
can McArthur, James Oscar Buckley and George Herbert tion.
Sedgewick and such other persons and corporations as shall
hereafter become shareholders of the said Company are
hereby constituted a body politic and corporate under the
name of "Buffalo and Fort Erie Ferry and Railroad Com-
pany," hereinafter called "the Company."

2. The said Frank V. E. Bardol, Alexander Fasken and
James Oscar Buckley shall be the provisional directors of Provisional
the Company. directors.

3. The capital stock of the Company shall be \$500,000. Capital
stock.

Head office.

4. The head office of the Company shall be at the Village of Fort Erie, in the County of Welland.

Number of directors.

5. The number of the directors of the Company shall be not less than three and not more than five.

Power to acquire line of Buffalo and Fort Erie Ferry and Ry. Co.

6. The Company may acquire, operate and maintain when acquired, the railway which formerly formed part of the said assets of The Buffalo and Fort Erie Ferry and Railway Company as already constructed, and which extends from a point in or near the Western Boundary of the Garrison Reserve, in the Township of Bertie, to a point in the Corporation of the Village of Fort Erie, in the County of Welland.

Operation of vessels, etc.

7. It shall be lawful for the Company to purchase, build, complete, fit out and charter, sell and dispose of, work and control and keep in repair vessels propelled by steam, electricity, gasoline or other motive power to ply on the lakes, rivers and canals of this Province in connection with the said railway and to make arrangements and agreements with steamboat and vessel proprietors by chartering or otherwise, to ply on the said lakes, rivers and canals in connection with the said railway.

Allotment of fully paid up shares in payment of rights acquired.

8. It shall be competent for the directors of the Company to allot and issue as fully paid up shares any shares of the capital stock of the Company as payment in whole or in part for any assets, real or personal rights, franchises or other properties purchased by the Company.

Agreements for joint adventure, reciprocal use, etc.

9. The Company shall have power to enter into partnership or to make any arrangement for sharing profits either of interest, corporate joint adventure, reciprocal concession or otherwise, or to take or acquire and to hold or dispose of the assets, rights, shares or securities or any of them and to loan money to and guarantee the contracts of any person or company carrying on a business with similar objects or carrying on or engaged in or having power to carry on or engage in any business or transaction capable of being conducted so as directly or indirectly to benefit the Company.

Motive power.

10. The Company is hereby authorized and empowered to run and operate the trains and carriages on the said line either by steam, gasoline or electric power.

Sale of railway and undertaking to other company.

11. The Company is hereby authorized and empowered, subject to sections 66, 67 and 68 of *The Ontario Railway Act*, to enter into an agreement with any other company having authority in the premises for selling, con-

veying

veying or leasing to such company the railway and the undertaking of the Company in whole or in part or for purchasing or leasing from such company its railway and undertaking in whole or in part or for amalgamation.

12. The directors of the Company shall have power to ^{Bonding powers.} issue bonds of the Company for the purpose of raising money for the prosecuting of the undertaking of the Company, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$40,000 for each mile of the said railway.

13. The provisions of *The Ontario Railway Act*, except ^{Application of provisions of Rev. Stat. c. 186.} in so far as inconsistent with the provisions of this Act, shall apply to the Company and to the said railway so to be acquired by it.

CHAPTER 102.

An Act respecting The Essex Terminal Railway Company and the City of Windsor.

Assented to 27th April, 1916.

Preamble.

WHEREAS by an Act of the Legislature of the Province of Ontario, intituled *An Act respecting the City of Windsor*, being Chapter 97 of the Acts passed in the Seventh year of the reign of His late Majesty, King Edward the Seventh, the Municipal Corporation of the City of Windsor was empowered to grant aid by way of bonus for the promotion of manufactures within the limits of the Municipality, and to secure, from time to time, lands for the purposes of such aids; and whereas in pursuance of said Act the said Municipal Corporation has acquired certain lands for the purposes aforesaid; and whereas The Essex Terminal Railway Company has by petition represented that it has, at the request of the said Municipal Corporation, constructed certain tracks, sidings and spurs, and purposes erecting a freight house, office and loading platforms on said lands for the purpose of affording railway facilities to the owners or occupants of premises from time to time upon the said lands; and whereas the said Municipal Corporation, by By-law No. 1896, set out as Schedule "A" hereto, has sanctioned the construction of said tracks, sidings and spurs by the Company, and has granted the Company the authority, right and privilege to maintain and operate the same for the purposes aforesaid, and to construct, maintain, complete and operate other tracks, sidings and spurs upon said lands for the like purposes, and to use part of said lands for the purpose of constructing, maintaining, completing, using and operating thereon a freight house, office, loading platforms, tracks, sidings and spurs, all upon the terms of said By-law; and whereas such tracks, sidings, spurs, office, freight house, loading platforms and other facilities are necessary to make said lands suitable for the purposes for which they were acquired; and whereas the Company has by its petition prayed that the said By-law be confirmed and declared valid; and whereas it is expedient to grant the prayer of said petition;

Therefore

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 1896 of the Municipal Corporation of the City of Windsor, intituled "A By-law granting a right of way and other rights to the Essex Terminal Railway Company," set forth in Schedule "A" to this Act, is hereby confirmed and declared to be legal, valid and binding upon the said Municipal Corporation, and shall not be open to question upon any ground whatsoever, notwithstanding the said Act or any amendment thereof or the requirements of any other Statute.

By-law
No. 1896
of City of
Windsor
confirmed.

SCHEDULE "A."

BY-LAW No. 1896 OF THE CITY OF WINDSOR.

A By-law granting a right-of-way and other rights to The Essex Terminal Railway Company.

Whereas by an Act of the Legislature of the Province of Ontario, intituled *An Act respecting the City of Windsor*, being Chapter 97 of the Statutes passed in the Seventh year of the reign of His late Majesty King Edward the Seventh, the said City of Windsor was empowered to grant or lease lands for manufacturing sites by way of aid or bonus to industries;

And whereas by said Act the said City was also empowered to pass by-laws to secure from time to time lands for the purposes of such aid;

And whereas in pursuance of said Act the City has secured certain lands for the purposes aforesaid, including the lands shewn on the plan hereinafter referred to;

And whereas in order to make such lands desirable and suitable for manufacturing sites it is necessary that the factories located thereon have adequate railway and transportation facilities, and to use portions of the said lands for the purposes hereinafter mentioned;

And whereas the Essex Terminal Railway Company, at the request of the said City, has laid certain tracks, sidings and spurs, and purposes erecting freight sheds and other facilities on said lands for the convenience of the said factories;

And whereas it is deemed expedient and necessary to confirm the said Company in the use and occupation of the portions of the said lands required for such purposes;

Therefore, the Municipal Council of the Corporation of the City of Windsor enacts as follows:—

1. The tracks, sidings and spurs heretofore constructed by the said Company upon the lands acquired by the City as aforesaid and across the streets and lanes, all of which are shewn upon the plan hereto annexed, the location of the said tracks, sidings and spurs being indicated upon the said plan by red lines, are hereby declared to have been so constructed and operated under the authority of the said City.

2. That the said Railway Company shall have authority and the right and privilege to maintain and operate the said tracks, sidings and spurs for the purposes of affording railway facilities to the owners and occupants of premises from time to time upon the said lands, so long as the same may be required for such purposes, and that the said Railway Company shall have authority and the right and privilege to construct, maintain, complete and operate other tracks, sidings and spurs upon the said lands for the like purposes in such locations as may be mutually agreed upon and indicated by resolution of the Council, and from time to time to remove and change, as required, any of the said tracks, sidings and spurs.

3. That the said Company shall have authority and the right and privilege to occupy and use all that portion of the said lands having a frontage of 490 feet on the West side of McDougall Street extending northerly from Banwell Street, and having a uniform depth of 180 feet, for the purpose of constructing, maintaining, completing, using and operating thereon a freight house, office, loading platforms, tracks, sidings and spurs for the purpose of affording railway facilities as aforesaid.

The

The said authority, right and privilege are granted for the term and upon and subject to the reservations, provisions and conditions following to be at all times observed and performed, that is to say:

(1) For so long as the said lands are required by the Company or any owner or occupant for any of the purposes aforesaid.

(2) All material entering into any works erected or constructed by the Company on the said lands shall be and remain the property of the Company, and may from time to time be removed by the Company.

(3) The said plan, which is dated the first day of April, 1914, and was made by Owen McKay, O.L.S., shall be considered and form a part of this By-law.

(4) The City shall assist the Company if and when required to procure legislation validating and confirming this By-law and the Agreement hereinafter mentioned, the Company to pay all the costs of and incidental thereto.

(5) This By-law shall take effect on its acceptance by the Company.

Dated this fifth day of March, 1915.

"A. W. JACKSON,"
Mayor.

(Seal.)

"M. A. DICKINSON,"
Acting Clerk.

CHAPTER 103.

An Act respecting The Gananoque and Arnprior Railway Company.

Assented to 27th April, 1916.

Preamble.

WHEREAS The Gananoque and Arnprior Railway Company was incorporated by an Act passed in the third and fourth years of the reign of His Majesty King George the Fifth, chaptered 32, as amended by an Act passed in the fourth year of the said reign, chaptered 116, for the purpose of constructing and maintaining a railway to be operated by steam, electricity or other motive power as set forth in the said Acts; and whereas the said company has by its petition prayed that an Act may be passed extending the time for the commencement and completion of its undertaking; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

3 and 4
Geo. V.
c. 132,
declared
to be in
force.

1. Subject to the provisions of this Act, the said Act passed in the third and fourth years of the reign of His Majesty King George the Fifth, chaptered 132, is declared to be and to have been in force from the date of the passing thereof, notwithstanding any neglect or default on the part of the Company in complying with any of the provisions of the said Act, and anything required to be done by the said Act may be done after the passing of this Act.

Time for
commence-
ment and
completion
extended.

2. Notwithstanding anything contained in *The Ontario Railway Act*, the railway authorized by the said Act passed in the third and fourth years of the reign of His Majesty King George the Fifth, chaptered 132, and by the Act passed in the fourth year of the reign of His Majesty King George the Fifth, chaptered 116, and by this Act, shall be commenced within two years from the passing of this Act and completed within five years from the passing of this Act, and if the construction of the said railway is not commenced and fifteen per

cent

cent. of the amount of capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not completed and put in operation within five years from the passing of this Act, then the powers granted to the Company by the said Acts and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

3.—(1) The gauge and style of construction of the road of the said railway, and the voltage of the electric power to be used in the operation of the railway, shall both be subject to the approval of the Hydro-Electric Power Commission of Ontario.

(2) The Hydro-Electric Power Commission of Ontario shall have the right to acquire the said railway and all real and personal property used in the operation thereof at any time within five years from the passing of this Act, at the actual cost thereof to the Company as may be agreed upon or in default of agreement as may be determined by The Ontario Railway and Municipal Board, but in determining such cost no allowance shall be made for franchise rights or prospective profits.

(3) The provisions of subsections 1 and 2 shall only apply to the railway if and when it is operated by electricity.

4. This Act shall not come into force or take effect until so declared by Proclamation of the Lieutenant-Governor in Council.

CHAPTER 104.

An Act respecting the Mount McKay and
Kakabeka Falls Railway Company.*Assented to 27th April, 1916.*

Preamble.

WHEREAS the Mount McKay and Kakabeka Falls Railway Company was incorporated by an Act passed by the Legislature of the Province of Ontario in the fourth year of the reign of His late Majesty, King Edward the Seventh, chaptered 82, as amended by an Act passed in the eighth year of His late Majesty's reign, chaptered 131, and as further amended by an Act passed in the second year of the reign of His Majesty, King George the Fifth, chaptered 143, for the purpose of constructing and maintaining a railway to be operated by electricity, compressed air or other motive power as set forth in the said Acts; and whereas by the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 143, it was, among other things, provided that the time for completion of the said railway be extended for a period of four years from the passing of the said last mentioned Act; and whereas the said company has by its petition prayed for an Act extending the time for completing the said railway for a further term of four years and allowing the use of any kind of motive power including steam in the operation of the said railway for a period of four years from April 1st, 1916, except on Neebing Avenue, north of Montreal Street, and conferring such other rights, powers and authorities as may be incidental to the above; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

4 Edw. VII,
c. 82, s. 2,
amended.

1. Section 2 of the Act passed in the fourth year of the reign of His late Majesty, King Edward the Seventh, chaptered 82, is amended by adding thereto the following words, "Provided that the said company may operate the said railway or any authorized extensions thereof by steam for a period of four years from April 1st, 1916, except on Neebing Avenue, north of Montreal Street, but such right to operate by steam shall then absolutely cease."

2. Section 3 of the Act passed in the second year of the^{2 Geo. V,} reign of His Majesty King George the Fifth, chaptered 143,^{c. 143, s. 3,} is repealed.^{repealed.}

3. Notwithstanding anything contained in *The Ontario Railway Act*, the railway authorized by the said Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, as amended by the Act passed in the eighth year of His late Majesty's reign, chaptered 131, and as further amended by the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 143, and by this Act shall be completed within four years from the passing of this Act, and if the railway is not completed and put in operation within four years from the passing of this Act, then the powers granted to the company by the said Acts shall cease and be null and void as respects so much of the railway as then remains uncompleted.

4. Section 2 of the Act passed in the eighth year of the^{8 Edw. VII,} reign of His late Majesty King Edward the Seventh, chap-^{c. 131, s. 2.} tered 131, and any by-laws or agreements passed or entered^{By-laws and} into by the Municipality of Neebing under the authority of^{agreements} the said section are hereby repealed.<sup>made there-
under
repealed.</sup>

5.—(1) The said company shall not have the right to^{Right to} construct and operate the said railway along or upon any^{construct} highway in the Municipality of Neebing, except those high-^{on certain} ways on which the said railway is now constructed and ex-^{highways.} cept on Neebing Avenue and Broadway Street and upon one street south of the Kaministiquia River in the Municipality of Neebing to be agreed upon by the municipality and the company.

(2) The Council of the said Municipality of Neebing may also authorize the company to construct and operate its railway on one other street north of the said river.

6. Subject to the provisions of this Act all rights, powers, authorities and privileges conferred upon the said company^{Rights,} by the said Acts or by any general Act are hereby declared^{powers,} to be in force and nothing in this Act contained shall in any^{etc., con-} way be deemed to affect any agreement heretofore entered^{ferred by} into between the company and any municipal corporation^{certain} or any other person or persons.<sup>Acts not
affected.</sup>

CHAPTER 105.

An Act to amend The Act incorporating The
Midland Land Company.*Assented to 27th April, 1916.*

Preamble.

WHEREAS The Midland Land Company has petitioned that an Act may be passed to amend the Act incorporating the said Company, being the Act passed in the 35th year of the reign of Her late Majesty Queen Victoria, chaptered 97, and the Act amending the same, being the Act passed in the 45th year of the reign of Her late Majesty Queen Victoria, chaptered 77, and the Act further amending the same, being the Act passed in the First year of the reign of His late Majesty King Edward the Seventh, chaptered 95, so as to extend the period for which lands may be held by the said Company; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Extension
of time for
holding
land.

1. The period at the expiration of which the portion of the lands of the said Company not actually sold or disposed of shall revert to and become the property of His Majesty and his successors is extended for fifteen years from the Fifteenth day of April, A.D. 1916.

CHAPTER 106.

An Act respecting the Ancient Order of United Workmen of the Province of Ontario.

Assented to 27th April, 1916.

WHEREAS the Ancient Order of United Workmen of Preamble.
the Province of Ontario (hereinafter called the Society) has by petition represented that it is a friendly society incorporated under *An Act respecting Benevolent, Provident and other Societies*, being chapter 167 of the Revised Statutes of Ontario, 1877; and whereas the said Society has by its petition prayed that an Act be passed authorizing the Society to apportion its Beneficiary and Reserve Funds among its Beneficiary Certificate Holders and to readjust the liability of the Society in respect of each of its outstanding Beneficiary Certificates on the basis of such apportionment and of the National Fraternal Congress Table of Mortality and 4 per cent. annual interest and to establish a table of rates of assessment derived from the said Mortality Table and the said rate of interest to be paid by members entering the Society after such readjustment; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ancient Order of United Workmen Act, 1916.* Short title

2. In this Act

Interpre-
tation.

(1) "Society" shall mean The Ancient Order of "Society."
United Workmen of the Province of Ontario
and or the Grand Lodge of The Ancient Order
of United Workmen of the Province of Ontario.

(2)

"Certificates."

- (2) "Certificates" shall mean all the outstanding Beneficiary Certificates of the Society, including such Beneficiary Certificates as from time to time have been heretofore issued by the Society whereunder the member was relieved from further payment of assessments to the Beneficiary Fund of the Society and shall further include the Beneficiary Certificates of all those persons who are entitled to reinstatement as Beneficiary Members of the Society pursuant to the Constitution and Laws of the Society.

National Fraternal Congress Table of Mortality.

- (3) "The National Fraternal Congress Table of Mortality" shall mean the Table of Mortality set forth in Schedule "A" to this Act and the National Fraternal Table of Rates shall mean the Table of Rates set forth in Schedule "B" to this Act.

Apportionment of Beneficiary and Reserve Funds.

3. On or before the first day of July, 1916, the Society shall ascertain the amount of its Beneficiary and Reserve Funds after due provision has been made for all claims upon the said funds of which notice shall have then been received by the Society, and the Society shall apportion as of the said first day of July, 1916, the amount so ascertained among all of the certificates of the members of the Society; provided that such apportionment shall be based upon the assessments actually paid to the Society in respect of each of the said certificates and upon the amount of such certificate and upon the cost to the Society of all the benefits paid by the Society in satisfaction of like certificates which prior to the said first day of July, 1916, have become claims.

Determination of amount of Beneficiary and Reserve Funds applicable to each certificate.

4. The Society shall also ascertain and determine what proportion of the benefit promised by each such certificate the amount of the Beneficiary and Reserve Funds so apportioned to the same certificate, together with the rate of monthly assessment being paid to the Society by the holder thereof at the date of the passing of this Act will provide for according to the National Fraternal Congress Table of Mortality and 4 per cent. annual interest.

Reduction of benefit under certificate.

5. The benefit promised to be paid in each of the said certificates shall be deemed to be reduced on and after the said first day of July, 1916, from the amount set forth in the said certificate to the amount ascertained as provided in the next preceding section and the Society if otherwise liable according to the terms of the said certificate shall be liable to pay upon the happening of the event insured against by

such

such certificate in full discharge of all of the liability of the Society under the said certificate only the amount so ascertained; provided always the Society shall on the request of the holder of any such certificate and upon the surrender of such certificate for cancellation issue to such holder a new certificate for the said reduced amount of benefit; provided also that the holder of any such certificate shall be entitled without medical examination to increase on or before the 31st day of December, 1916, the amount of the certificate after the said reduction to an amount not exceeding the amount of the certificate before the said reduction by paying to the Society on and after the first day of July, 1916, in addition to the monthly rate of assessment then being paid by such holder the monthly rate of assessment proper to the amount of such increase at the attained age of such holder on the said first day of July, 1916, according to the Table of Rates in Schedule "B" to this Act.

6. On or before the first day of October, 1916, the Society shall file in the office of the Registrar of Friendly Societies for the Province a schedule showing for each such certificate the amount of the Beneficiary and Reserve Funds apportioned as aforesaid to such certificate and the amount of the benefit under such certificate payable by the Society in accordance with the provisions of section 5 of this Act; the said schedule shall be certified to be a true apportionment of the said funds according to the intent of this Act and the correct amount of benefit payable under the said certificates pursuant to the provisions of section 5 of this Act respectively by a Fellow of the Institute of Actuaries of Great Britain and Ireland and upon such schedule so certified being filed as aforesaid, the same shall be final and binding upon the Society and upon the holder of each such certificate and upon his beneficiaries and upon all those deriving legal rights from such holder or beneficiary.

7. An actuarial valuation shall be made at the expense of the Society by an Actuary approved of by the Registrar of Friendly Societies of all the certificates of the Order subsisting on the 31st day of December, 1918, and every three years thereafter, and any surplus of assets over liabilities found to exist at any of the said triennial valuations shall be used to increase, pro rata, the amount of benefit payable under any then subsisting Certificate as reduced by this Act until there remains no surviving Certificate that has been issued prior to the 1st day of July, 1916, which has not in this way been restored to an amount equal to that at which it stood on the 30th day of June, 1916.

Option in certificate, when benefit reduced.

8. In all cases where the amount of benefit payable by the Society has been reduced below the amount payable as at the 30th day of June, 1916, in accordance with the provisions of section 5 of this Act, the Certificate for the reduced amount issued under this Act shall contain an option to the member to be exercised during his or her lifetime by which the beneficiary or beneficiaries may receive, by equal annual instalments spread over any period up to ten years, a larger amount than is provided for in the said Certificate, the increase in the amount being the value of interest at five per cent. per annum upon all such deferred instalments.

Events happening between July 1st, 1916, and filing of schedule.

9. Where the event insured against by any of the said certificates shall happen between the first day of July, 1916, and before the filing of the schedule pursuant to section 6 of this Act the amount payable by the Society under such certificate shall be the amount of the benefit set forth in the said schedule for such certificate and the Society may delay payment of the claim upon any such certificate until the said schedule is completed and filed as aforesaid.

Repeal of section 63 of Constitution and Laws of Society.

10. Section 63 of the Constitution and Laws of the Society is hereby repealed and the following substituted in lieu thereof:—

“ 63.—(1) From and after the first day of July, 1916, each and every member of the Society who entered the Society prior to the first day of July, 1916, shall without notice pay to the Financier of the Lodge a monthly assessment in respect of the Beneficiary Certificate issued by the Society to him and reduced in accordance with the provisions of *The Ancient Order of United Workmen Act* the monthly assessment heretofore payable by such member under the Constitution and Laws of the Society as the same existed prior to the passage of the said Act and each and every member who enters the Society on or after the first day of July, 1916, commencing with the month in which such member received the Workman Degree shall without notice pay to the Financier of the Lodge the monthly assessment for each \$1,000 of Beneficiary Certificate of such member, or for a greater or less sum in proportion, the amount designated opposite the age of the member at the date of admission to the Society in accordance with the Table of Rates in Schedule “B” to the said Act, said monthly assessment to be due and payable on the first day

of each month or within thirty days thereafter as provided by Statute in that behalf; and in addition to said regular monthly assessments all the members of the Society whether they entered the Society prior to or after the said first day of July, 1916, shall pay such extra assessment as may be required from time to time to be collected to enable the Society to pay and discharge all death claims made upon the Society under and by virtue of the Beneficiary Certificates of the Society.

- “(2) The date of payment of the said assessment shall be kept by the Financier, who shall credit the member with and give him a receipt for the amount so paid.
- “(3) A member may pay his assessments in advance, quarterly or otherwise.”

SCHEDULE "A."

THE NATIONAL FRATERNAL CONGRESS MORTALITY TABLE.

Mortality Table.

Age.	Number Living.	Age.	Number Living.
20.....	100,000	60.....	69,801
1.....	99,500	1.....	68,213
2.....	98,999	2.....	66,532
3.....	98,497	3.....	64,754
4.....	97,994	4.....	62,874
25.....	97,489	65.....	60,889
6.....	96,982	6.....	58,795
7.....	96,472	7.....	56,589
8.....	95,959	8.....	54,271
9.....	95,442	9.....	51,841
30.....	94,920	70.....	49,302
1.....	94,393	1.....	46,657
2.....	93,860	2.....	43,913
3.....	93,320	3.....	41,081
4.....	92,772	4.....	38,172
35.....	92,215	75.....	35,203
6.....	91,648	6.....	32,194
7.....	91,070	7.....	29,168
8.....	90,479	8.....	26,152
9.....	89,873	9.....	23,175
40.....	89,251	80.....	20,270
1.....	88,611	1.....	17,471
2.....	87,951	2.....	14,812
3.....	87,268	3.....	12,327
4.....	86,560	4.....	10,047
45.....	85,826	85.....	7,997
6.....	85,065	6.....	6,197
7.....	84,275	7.....	4,658
8.....	83,453	8.....	3,381
9.....	82,596	9.....	2,358
50.....	81,702	90.....	1,570
1.....	80,767	1.....	991
2.....	79,786	2.....	587
3.....	78,757	3.....	323
4.....	77,674	4.....	162
55.....	76,534	95.....	73
6.....	75,332	6.....	29
7.....	74,062	7.....	10
8.....	72,720	8.....	3
9.....	71,302	9.....	0

SCHEDULE "B."

THE NATIONAL FRATERNAL CONGRESS TABLE OF RATES.

Assessment per \$1,000 of Insurance.

Age.	Monthly Rate.	Age.	Monthly Rate.
16	\$0 84	9	\$2 60
17	85	50	2 73
18	86	1	2 86
19	88	2	3 00
20	90	3	3 15
1	93	4	3 31
2	96	55	3 48
3	99	6	3 67
4	1 02	7	3 87
25	1 05	8	4 08
6	1 08	9	4 31
7	1 11	60	4 56
8	1 14	1	4 82
9	1 18	2	5 10
30	1 22	3	5 41
1	1 26	4	5 74
2	1 30	65	6 09
3	1 35	6	6 48
4	1 40	7	6 90
35	1 45	8	7 35
6	1 51	9	7 84
7	1 57	70	8 38
8	1 63	1	8 96
9	1 69	2	9 59
40	1 76	3	10 28
1	1 83	4	11 04
2	1 91	75	11 87
3	1 99	6	12 79
4	2 08	7	13 79
45	2 17	8	14 90
6	2 27	9	16 12
7	2 37	80 and over	17 48
8	2 48		

CHAPTER 107.

An Act respecting The Home, Lindsay.

Assented to 27th April, 1916.

Preamble.

WHEREAS The Home, Lindsay, has by its petition represented that it was incorporated on the thirtieth day of December, 1895, pursuant to Chapter 173 of The Revised Statutes of Ontario, 1887, for the purpose of the general distribution of charity in the Town of Lindsay to such persons as the Society deemed worthy thereof and to acquire, furnish and maintain in the Town of Lindsay a Home for aged, needy and indigent persons; and for these purposes to acquire lands, accept and receive donations and bequests and to establish an Endowment Fund; and whereas the work of the said Society has been almost wholly superseded by the County House of Refuge for the County of Victoria and the Society wishes to dispose of the moneys in the Treasury as hereinafter set forth and has prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority
to pay
funds to
Children's
Aid Society
and to
other
charitable
uses.

1. The Home, Lindsay, is hereby authorized and empowered—

- (a) To give and pay out of the moneys in the treasury of the said Society to The Children's Aid Society of Lindsay and Victoria County the sum of two thousand dollars or such other sum as to the said Society may seem proper.

(b)

- (b) To give and grant all the moneys remaining in the treasury of the said Society after payment of its just debts and obligations to such public or benevolent or charitable uses or purposes in the Town of Lindsay or County of Victoria as to the said Society or its board of management may seem proper and for these purposes the said moneys may, if the Society thinks proper, be paid over to the Corporation of the Town of Lindsay or any other corporation or individuals in trust for such public or benevolent or charitable uses and purposes as the Society shall designate.

2. After The Home has carried out the powers conferred upon it by this Act all its corporate powers shall cease and determine. When corporate powers to cease.

CHAPTER 108.

An Act to further amend The Act incorporating the
St. Patrick's Asylum of Ottawa.*Assented to 27th April, 1916.*

Preamble.

WHEREAS the Corporation of the St. Patrick's Asylum of Ottawa have by their petition represented that the institution was incorporated under the name of "The St. Patrick's Asylum of Ottawa" by an Act of the Parliament of the Province of Canada passed in the year 1866 and that the said Act of incorporation was amended by an Act of the Legislative Assembly of the Province of Ontario, being 51 Victoria, chapter 87; and whereas the corporation have represented that certain amendments are required to change the number of members and the constitution of the Council of Management of the Asylum; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

51 Vic.
c. 87, s. 1,
repealed.

1. Section 3 of the Act passed in the twenty-ninth and thirtieth years of the reign of Her late Majesty Queen Victoria, chaptered 147 as enacted by section 1 of the Act passed in the fifty-first year of Her said Majesty's reign, chaptered 87, is repealed and the following substituted therefor:—

Council of
manage-
ment.

3. For the management and control of the affairs of the said corporation there shall be a Council of Management composed of nine persons, who shall be annually elected by the members of the said corporation in the month of October in each and every year, the term of office to be one year from the first day of November in each year, and the parish priests for the time being of the several English-speaking Roman Catholic parishes in the said City of Ottawa, who shall be *ex officio* members of the said council, and at the first meeting after such election the said council, composed as aforesaid of nine elected members and the said *ex officio* members shall choose out of their number a president, vice-president, treasurer and secretary, who shall hold their offices respectively during the period aforesaid.

CHAPTER

CHAPTER 109.

An Act to amend The Act incorporating McMaster University.

Assented to 27th April, 1916.

WHEREAS the Board of Governors and Senate of Mc-^{Preamble.}
Master University have by petition prayed for an
amendment to the Act incorporating the University passed
in the fiftieth year of the reign of Her late Majesty Queen
Victoria, chaptered 95, as hereinafter provided; and whereas
it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 12 of the Act passed in the fiftieth year of the^{50 Vic.,}
reign of Her late Majesty Queen Victoria, chaptered 95, is^{c. 95, s. 12,} amended.
amended by striking out the words:—

“And the senate shall have the power to settle, subject to ratification by the board, the terms upon which other colleges and schools may become affiliated with the said university, but no such affiliation shall take effect unless and until the same shall have been approved by the Lieutenant-Governor in Council; provided, however, that the said university shall not have the power or right to establish, maintain, or be connected with any school or college in theology other than Toronto Baptist College, nor the right to affiliate under any conditions with any other school or college in theology”

and substituting the following words in lieu thereof:—

“And the senate shall have the power to settle, subject to ratification by the board, the terms upon which other colleges and schools may become affiliated with the said university, but no such affiliation other than an affiliation in theology shall take effect unless and until the same has been approved by the Lieutenant-Governor in Council.”

CHAPTER 110.

An Act respecting the amalgamation of the School
of Mining and Agriculture with Queen's Uni-
versity at Kingston.

Assented to 27th April, 1916.

Preamble.

WHEREAS a joint petition has been presented by Queen's University at Kingston and the School of Mining and Agriculture praying that it be enacted as hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Agreement
between
Queen's
University
and School
of Mining
and Agri-
culture
confirmed.

1. The agreement made between Queen's University at Kingston and The School of Mining and Agriculture dated the 20th day of October, 1915, a copy of which is set out in the schedule to this Act, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto and on the corporators and shareholders of the said parties in all respects whatsoever as if the said agreement and each and every clause thereof were set out at length and enacted in this Act, and Queen's University at Kingston may do whatsoever may be necessary to carry out and give full effect to the said agreement.

Property,
etc., of
School of
Mining
vested in
University.

2. Notwithstanding anything to the contrary contained in the statutes relating to the School of Mining and Agriculture, all the buildings, property and effects, real and personal of what nature and kind soever vested in the said School of Mining and Agriculture shall vest in Queen's University at Kingston free and clear from any special uses or trusts or any estate or claim on the part of the Crown imposed or created by the said statutes, and subject to the terms of the said agreement and to the conditions imposed in a certain conveyance from the Corporation of the City of Kingston to the School of Mining and Agriculture dated June

18th, 1894, shall be held, used, enjoyed and dealt with by Queen's University at Kingston as fully and freely as any other University buildings, property and effects.

3. For the purpose of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of the Province, it shall be sufficient in order to show the transmission of title from the School of Mining and Agriculture to Queen's University at Kingston of any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the transfer from the School of Mining and Agriculture to Queen's University at Kingston referred to in the said agreement, to recite or mention the title of this Act and the chapter and statute year in which this Act was passed.

Recital of Act for registration of instruments affecting land.

Rev. Stat. cc. 124, 126, 135.

4. From and after the date at which this Act comes into force, Queen's University at Kingston shall have, possess and enjoy exclusively in addition to its existing powers, rights and privileges all the powers, rights and privileges now held and enjoyed by the School of Mining and Agriculture, and the said School of Mining and Agriculture shall cease to have any separate corporate existence.

University to have powers, etc., of School of Mining.

5. This Act shall come into force upon the passing of an Act by the Parliament of Canada to confirm the said agreement.

Date when Act to come in force.

SCHEDULE "A."

Memorandum of agreement made in duplicate this 20th day of October, 1915.

Between

Queen's University at Kingston, hereinafter called the "University," of the first part,

and

The School of Mining and Agriculture, hereinafter called the "School," of the second part.

Witnesseth that whereas the University was incorporated by Royal Letters Patent dated the 16th day of October, 1841, and its constitution has since been amended by Statutes of the Parliament of Canada being chapter 123 of the Statutes of 1882, chapter 103 of the Statutes of 1889, chapter 152 of the Statutes of 1906, chapter 138 of the Statutes of 1912 and chapter 141 of the Statutes of 1914;

And whereas the School is a corporation which was originally incorporated under the Statute of the Ontario Legislature entitled *An Act respecting Benevolent, Provident and other Societies*, and its incorporation has since been confirmed and its constitution amended by the Statutes of Ontario, chapter 115 of the Statutes of 1893,

1893, chapter 44 of the Statutes of 1901 and chapter 162 of the Statutes of 1909;

And whereas the two institutions are both established at the City of Kingston, in the Province of Ontario, and are conducting important educational and research work in extremely close relations but necessarily under entirely separate managements;

And whereas in the public interest and to improve efficiency and save unnecessary expense it is deemed expedient to amalgamate the institutions and to merge the School in the University on the terms hereinafter set out;

And whereas the corporators of the School are the holders of the capital stock thereof, having the powers incident to holding such shares;

And whereas the terms of this agreement have been duly adopted by the Board of Trustees of the University and by the Board of Governors of the School, and have also been duly ratified and approved by the said shareholders of the School at a special general meeting;

And whereas it is necessary that this agreement and the said amalgamation should also be ratified and confirmed by the Parliament of Canada and by the Legislature of Ontario;

Now therefore the parties hereto hereby agree each with the other as follows, that is to say:—

1. Upon the authorization and confirmation hereof by the Parliament of Canada and by the Legislative Assembly of Ontario this agreement shall come into effect and the School shall become and be amalgamated with the University and shall form the Faculty of Applied Science of the University upon the terms hereinafter set out.

2. Each member or shareholder of the School shall thereupon cease to have any rights, privileges or obligations in respect of his share or shares of stock but shall be included in the list of benefactors of the University and shall become one of the corporators thereof.

3. All the assets, interests, rights, credits, effects and property, real or personal, of whatever kind and wheresoever situate, belonging to the School or to which the School is or shall hereafter be or become entitled shall become vested in the University upon the date at which this agreement comes into effect, and the University shall thereupon be entitled to seek, demand, sue or otherwise proceed for the recovery of any such rights, claims, property, estate and effects of the said School, and to receive, exercise and enjoy the same, in its own name, as fully and effectually as the School might have done if this agreement had not been made.

4. Upon the same date all the liabilities of the School shall be assumed by the University, and the creditors of the School shall thereupon be and become to all intents and purposes creditors of the University, and shall have the same rights and privileges against the University as they would have had against the School if this agreement had not been made.

5. No suit, action or proceeding by or against the School shall be discontinued, abated or affected by or on account of this agreement but shall continue as if this agreement had not been made, and the University shall pay or receive like costs and shall be entitled to like benefits and incur like obligations as if the action, suit or proceeding had been brought in its own name.

6. In the general administration of the funds of the University there shall be a just and equitable distribution among the various faculties according to their educational needs and the extent of the funds available.

7.—(a) Dr. W. L. Goodwin, the present Dean of the School, shall be continued as Dean of the said Faculty of Applied Science and Professor of Chemistry in the University, at his present salary, and his standing shall date from his original appointment to the staff of the University.

(b) Professor Wm. Nicol shall be Professor of Mineralogy in the University at his present salary, and his standing shall date from his original appointment to the staff of the University.

(c) Each of the other members of the staff of the School shall be appointed to a corresponding position in the University at the salary now received, and the standing of each shall date from his appointment to the staff of the School.

8. In addition to the Trustees of the University already provided for there shall be six Trustees who shall be appointed in the first place by the Board of Governors of the School, and two of these shall retire at the end of six years, two at the end of seven years and two at the end of eight years. The vacancies occurring on retirement of the above-mentioned six Trustees shall be filled by the election of one Trustee by the Board of Trustees and one Trustee by the benefactors, and the Trustees so elected to fill the said vacancies shall each hold office for the term of three years.

9. The Trustees so appointed or elected shall upon retiring be eligible to re-election and any vacancy occurring by death or resignation of any of the said six Trustees within the period of their first appointment shall be filled by the election of a new Trustee by the surviving or remaining members of the Trustees so first appointed.

10. Of the six Trustees mentioned in clause 8 two shall be appointed by the Board of Trustees, to be members of the Finance and Estate Committee of the University for the period during which they continue to hold office as Trustees of the University.

11. Subject to the approval of the Lieutenant-Governor in Council of the Province of Ontario, the four Governors of the School now appointed by the said Lieutenant-Governor in Council under the authority of chapter 162 of the Statutes of Ontario of 1909 shall be continued as Trustees of the University in addition to the Trustees already referred to, and one of the Trustees so appointed shall retire annually in such order as may be prescribed by the Board and the Trustee so retiring shall be eligible for re-appointment by the said Lieutenant-Governor in Council.

In witness whereof the parties hereto have caused to be affixed their corporate seals attested respectively by the hands of the Chairman of the Board of Trustees of the University, and of the Chairman of the Board of Governors of the School.

"HAMILTON CASSELS," *Chairman.*
(Seal of the University.)

"R. CRAWFORD," *Chairman.*
(Seal of the School.)

CHAPTER 111.

An Act to amend The Act to incorporate the
Ursuline Academy of Chatham.*Assented to 27th April, 1916.*

Preamble.

WHEREAS The Ursuline Academy of Chatham has by petition represented that it was incorporated by the Legislature of the Province of Ontario in the twenty-ninth and thirtieth years of the reign of Her late Majesty Queen Victoria, chaptered 142, for the instruction and education of young persons, and for other purposes therein mentioned; that the said corporation since its incorporation has greatly enlarged and extended its sphere of work by the establishment and maintenance of educational institutions and other charitable works; and whereas it is desirable that the name of the corporation should be changed and that its power to hold land should be increased; and whereas the said corporation has prayed that an Act may be passed for such and other purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Change of
name.

1. The name of the said corporation is hereby changed to that of "Ursuline Religious of the Diocese of London in Ontario."

29 and 30
V., c. 142,
amended.

2. Section 1 of the Act passed in the twenty-ninth and thirtieth years of the reign of Her late Majesty Queen Victoria, chaptered 142, is amended by striking out all the words after the word "Chatham" in the seventh line and sections 2 to 8 of the said Act are repealed.

Erection
and main-
tenance of
buildings.

3. In addition to its present undertakings the said corporation shall have power to erect, construct, equip and maintain buildings and other erections for the proper carrying on of its educational and other charitable works, and to do all
other

other matters and things necessary for the carrying out of the objects in which the corporation now is or may hereafter be engaged or occupied.

4.—(1) The affairs of the said corporation shall be conducted and managed by the Superior General for the time being of the said corporation, assisted by a council composed of such other members of the corporation as shall be determined upon from time to time in accordance with the rules, orders and regulations of the corporation, and the said members shall be elected in such manner and at such time and shall perform such duties and do such things as may be determined thereby. Management of affairs of corporation.

(2) The Superior General shall form one of such council and be the head thereof, and shall be appointed by the members of the said corporation. Superior General to be head.

(3) The Superior General and council for the time being shall have power and authority to make and establish such rules, orders and regulations not contrary to this Act, nor to the laws in force in this Province, as shall be deemed useful or necessary in the interests of said corporation and in the proper management thereof, and for the admission of members into the said corporation and for all other purposes connected with its operations, undertakings and works, and may from time to time alter, repeal and change such rules, orders and regulations or any of them now in force or hereafter to be put in force, and shall and may execute and perform in such manner as may be directed by the said rules, orders and regulations, all and singular every deed or other assurance, matter and thing relating to the said corporation and the management thereof, its property and its undertakings and every matter or thing which shall or may appertain thereto. Powers of Superior General and council.

5. The said corporation by its name may sue and be sued, implead and be impleaded, answer and be answered, in all courts of law and equity, and in all places whatsoever, in as large and ample a manner as any other body politic or corporate or as any person or persons able or capable in law, may or can sue or be sued, implead and be impleaded, answer and be answered, in any manner whatsoever. Power to sue and be sued.

6.—(1) The said corporation may acquire and hold as purchasers, donees, devisees or legatees, or in any other capacity, any interest in lands and tenements and may accept and receive any gifts, devises or bequests and alienate, grant, lease, bargain, mortgage, sell, assign or otherwise dispose Power to acquire and hold land.

pose of any of such interests in lands or tenements and any of such gifts, devises or bequests as they may deem proper and in the interests of said corporation.

Value of
land which
may be held.

Rev. Stat.
c. 103.

(2) The land which may be acquired, held, accepted or received by the corporation under the provisions of subsection 1 shall not exceed an annual value of \$75,000, and the provisions of *The Mortmain and Charitable Uses Act* shall apply except that the period within which the land shall be sold shall be seven years instead of two years and that it shall not be necessary to sell any land now or hereafter acquired, held, accepted or received which is actually and *bona fide* held, used and occupied for religious, educational and eleemosynary purposes.

Vesting
of land
acquired by
corporation.

7. All and every estate and property, real and personal, granted to or acquired by the said corporation by virtue of any provision of the Act passed in the twenty-ninth and thirtieth years of the reign of Her late Majesty, Queen Victoria, chaptered 142, and all such estate and property now belonging to or hereafter acquired by the said corporation, shall be and are hereby vested in the said corporation.

Borrowing
powers.

8. The said corporation by its proper officers shall have power to borrow money for the purposes of its undertakings, works and charities, and as security for such loans may mortgage or otherwise charge its real or personal property and assets, or may give its promissory note or other instrument of security therefor.

Investment
of funds.

9. The said corporation shall have power and authority to invest its funds in all such securities as trustees are permitted to invest in under the laws of the Province of Ontario now existing or hereafter passed.

Application
of rents,
revenues,
etc.

10. All the rents, revenues, assets and property of the said corporation shall be applied solely to the maintenance of the members of the corporation, the construction and maintenance of such buildings as may be required for the purposes of the corporation, and the furtherance of any or all of the objects and works in which the said corporation is now or may hereafter be engaged.

CHAPTER 112.

An Act respecting Wycliffe College.

Assented to 27th April, 1916.

WHEREAS The Protestant Episcopal Divinity School Preamble.

Corporation was incorporated on the fifth day of July, 1879, under the provisions of *An Act respecting Benevolent, Provident and other Societies*, being chapter 167 of the Revised Statutes of Ontario, 1877, for the purpose of providing for the training of theological students in accordance with the principles of the Reformation as embodied in the Articles of the Church of England; and whereas it was provided by the declaration of incorporation that the first trustees should be The Very Reverend The Dean of Toronto, F. A. Ball, Robert Baldwin, Edward Blake, Samuel Hume Blake, Thomas Moore Benson, The Reverend S. J. Boddy, John Boyd, W. T. Boyd, A. H. Campbell, R. B. Denison, G. T. Denison, The Reverend T. C. Des Barres, B. Homer Dixon, George M. Evans, A. P. Farrell, Edward Fitzgerald, Clarke Gamble, F. W. Glen, The Reverend R. W. E. Greene, G. H. Grierson, John Gillespie, R. T. Gooderham, C. S. Gzowski the Younger, John W. Gwynne, The Reverend R. H. Harris, A. Hewson, J. G. Hodgins, Sir Hugh Hoyles, Newman Wright Hoyles, W. H. Howland, The Reverend Septimus Jones, J. K. Kerr, F. W. Jarvis, The Reverend J. P. Lewis, William Magrath, J. Herbert Mason, W. Redford Mulock, George Needler, The Reverend Frederick Augustus O'Meara, W. A. Parlane, The Reverend W. S. Rainsford, The Reverend A. Sanson, Sutherland Stayner, The Reverend J. P. Sheraton, The Reverend J. S. Stone, A. F. Scott, Kivas Tully and Daniel Wilson; and whereas it was further provided by the said declaration of incorporation that the said trustees should continue to hold office until by death, resignation, ceasing to be members of the Church of England or otherwise a vacancy or vacancies should occur, whereupon a successor or successors should be appointed by the remaining trustees in such manner as might be defined in the by-laws or regulations to be made and that the trustees for the time being should have power to appoint from among their

number

number a committee or committees to manage the affairs of the corporation and to transact such business as might from time to time be designated by the said trustees; and whereas on the ninth day of January, 1885, an order was made by the Judge of the County Court of the County of York, under the provisions of an *Act respecting Benevolent, Provident and other Societies*, being chapter 27 of the Statutes passed in the 47th year of the reign of Her Late Majesty, Queen Victoria, authorizing the trustees of the Protestant Episcopal Divinity School Corporation to use the name Wycliffe College for the purpose of designating the said Corporation in addition to the name under which it was incorporated; and whereas the present trustees of Wycliffe College by their petition have made it appear that they hold a large amount of securities and funds upon certain trusts for the purposes of the College and have erected buildings in which the work of the College is carried on and that the College is one of the recognized theological colleges forming part of the educational system of the Church of England in Canada, and is federated with the University of Toronto; and whereas the said trustees have by their petition prayed that an Act be passed conferring upon them certain powers; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Continuation of corporation.

1. The trustees of the Protestant Episcopal Divinity School Corporation, otherwise known as Wycliffe College, shall continue to be a body corporate (hereinafter referred to as "the trustees") under the name of Wycliffe College.

Power to acquire property.

2.—(1) In addition to the rights, powers and privileges mentioned in section 27 of *The Interpretation Act*, the trustees shall have power to take and hold land for the purposes of the College, and to alienate the same at pleasure.

Annual value not to exceed \$100,000.

(2) The land which may be taken or held by the trustees under the provisions of subsection 1 shall not exceed an annual value of \$100,000, and the provisions of *The Mortmain and Charitable Uses Act* shall apply to the sale thereof by the trustees, except that the period within which the land shall be sold shall be seven years instead of two years, and that it shall not be necessary to sell any land heretofore or hereafter taken or held which is actually and *bona fide* used and occupied for the purposes of the College.

3. All property, real or personal, heretofore or hereafter granted, conveyed, devised or bequeathed to the Protestant Episcopal Divinity School Corporation, Wycliffe College, or to any person in trust for or for the benefit of the Protestant Episcopal Divinity School Corporation or Wycliffe College, or of any department thereof or otherwise in connection therewith, shall be vested in the trustees, subject, however, to the trusts affecting such property. Property vested in trustees.

4. In the event of any trustee dying, resigning, ceasing to be a member of the Church of England or otherwise vacating the office of trustee, the remaining or surviving trustees may from time to time elect new trustees so that there shall be not more than fifty trustees at any time. Filling of vacancies in office of trustee.

5. The government, conduct, management and control of Wycliffe College and of the property, revenues, business and affairs thereof shall be vested in the trustees. Government of college vested in trustees.

6. The trustees may provide for the granting of and grant degrees in theology, including honorary degrees and certificates of proficiency; Provided that the granting of degrees in course shall be subject to canon number 10 of the General Synod of the Church of England in Canada as long as the said canon is in force and observed by all the other theological colleges having power to grant degrees in theology therein mentioned. Granting of degrees in theology.

7. The trustees may from time to time enact or make and from time to time repeal or amend statutes, by-laws, rules or regulations not contrary to law or to this Act: Power to make by-laws, rules, etc.

- (a) To govern the meetings and transactions of the trustees, their quorum, and the election of new trustees;
- (b) To create such councils, committees or subordinate bodies and to confer upon them such of their own powers as may be deemed necessary;
- (c) To provide for exercise of any of the powers conferred by this Act.

8. The existing by-laws of the corporation shall continue in force and be deemed to be by-laws made by the trustees under the authority of this Act except in so far as they shall be hereafter repealed or amended by the trustees. Existing by-laws continued in force.

9. Nothing herein contained shall be deemed to affect the federation of Wycliffe College with the University of Toronto as provided by *The University Act*. Federation with Toronto University not affected.

CHAPTER 113.

An Act vesting certain lands in the Trustees of the
Presbyterian Church, Almonte.*Assented to 27th April, 1916.*

Preamble.

WHEREAS it hath been made to appear by the petition of James McLeod, of the Town of Almonte, in the County of Lanark, Editor; John Neilson, Andrew Cochrane, Robert Young and Matthew Aikenhead, of the Township of Ramsay, in the County of Lanark, Yeomen, Trustees of the Presbyterian Church, Almonte, a congregation of the religious body known as "The Presbyterian Church in Canada"; (Firstly) that by deed bearing date the 12th day of September, 1840, a memorial whereof was registered in the Registry Office for the north riding of the said County of Lanark on the 15th day of September, 1840, as number 139, certain lands situate in the said Township of Ramsay being composed of part of the east half of lot number sixteen in the seventh concession of the said Township of Ramsay containing by admeasurement two and a half acres be the same more or less and which said two and a half acres is butted and bounded or may be otherwise known as follows, that is to say:—Commencing where there is a post planted at the south-east angle of said half lot, then north thirty-six degrees west and fronting the eighth concession line seventy yards, then south fifty-four degrees west one hundred and seventy-five yards, then south thirty-six degrees east seventy yards, then north fifty-four degrees east one hundred and seventy-five yards to the place of beginning, were granted by John Mitchell, the younger, to James Wylie, Robert Bell, John Gemmill, James Wilson, James Yuill, John Lockhart, James Wilkie, James Paterson and James Stewart, Trustees of the Presbyterian Church in the Township of Ramsay, in connection with the Established Church of Scotland and their successors to be appointed in manner specified in the said last mentioned deed, which said deed however has been lost, mislaid or destroyed and cannot be found; (Secondly) that by deed bearing date the 6th day of March, 1861, a memorial of which was registered in the said Registry Office on the 27th day of May, A.D. 1868, as number 268, certain lands in the Town (formerly Village) of Almonte, in the said county,

county, being composed of lot number four on Elgin Street in the Anderson Section of the said Town of Almonte as the same is laid down on a plan of the said Town of Almonte drawn by E. T. Wilkie, Ontario Land Surveyor, which said plan is registered in the said Registry Office, were granted by Matthew Anderson to Robert Bell, James Wilkie, David Campbell, William Wilson, Robert MacFarlane, John Menzies, James Neilson, David Fummerton and William Laing, the Trustees of the Congregation of The Presbyterian Church of Canada in connection with The Church of Scotland, their successors in office and assigns (to be appointed as therein provided) in trust for the benefit of the said congregation for the support of public worship and the propagation of Christian knowledge and for the purpose of thereon erecting and upon such part thereof as the said congregation shall think proper a church for the said congregation, also a manse for the use of the minister of the said church, and further for the benefit of the said congregation for a burying ground, the said congregation to be at liberty to set apart a portion of said lot for the respective purposes aforesaid as they shall think proper, and the remainder of said land and premises, if any there be, to be held by the said trustees and their successors in office, subject to the direction as to sale or mortgage as the Synod of the said Presbyterian Church of Canada in connection with the Church of Scotland shall approve, order and direct, it being therein provided that in case of a vacancy amongst the trustees arising, the remaining trustees or trustee should have full power to name a person being a male member of the said congregation, to fill such vacancy, such appointment to be made under the hand of the trustee or trustees making the appointment and to be endorsed on the back of such deed or in case of the loss or destruction of such deed, then such appointment to be entered in a book for that purpose provided and in the event of the omission for three calendar months to make such appointment then the congregation might appoint trustee or trustees from amongst the male members of the church; (Thirdly) that by deed bearing date the 16th day of October, 1865, a memorial whereof was registered in the said Registry Office on the 24th day of October, 1865, as number 63, certain other lands in the said Town of Almonte being composed of lot number five on Elgin Street in the Anderson Section of the said Town of Almonte as the same is laid down on a plan of the said Town of Almonte drawn by E. T. Wilkie, Ontario Land Surveyor, which said plan is registered in the said Registry Office, were granted by William Wilson to Robert Bell, David Campbell, William Wilson, Robert MacFarlane, John Menzies, James Neilson, David Fummerton, Matthew McFarlane and William Laing, the Trustees of the Congregation of The Presbyterian Church of Canada in connection with

with The Church of Scotland in said township, their successors and assigns upon the same trusts and with the same powers of appointment of new trustees as are set forth and contained in the deed secondly hereinbefore mentioned; (Fourthly) that by deed bearing date the 14th day of November, 1870, and registered in the said Registry Office on the 24th day of March, 1874, as number 1430, lots seventeen and eighteen on said Elgin Street in said Anderson Section save and except a strip of land about eight feet in width off the north side of the said lot number seventeen heretofore conveyed to one John Scott, were granted by Daniel Drummond to John Patterson, James Neilson, Daniel Drummond, Matthew McFarlane, Robert McFarlane, Gilbert Moir, Gavin Hamilton, James Hamilton Wylie and Bemsley Buell Smart, the Trustees of the Congregation of The Presbyterian Church of Canada in connection with The Church of Scotland in said township their successors and assigns upon the same trusts and with the same powers of appointment of new trustees as are set forth and contained in the deed secondly hereinbefore recited; (Fifthly) that by deed bearing date the 6th day of July, 1874, certain lands in the said Township of Ramsay being composed of part of the east half of lot number sixteen in the seventh concession of the said township containing by admeasurement three acres be the same more or less more particularly described as: Commencing where a post has been planted at the south angle of the graveyard south fifty-four degrees west seven chains and ninety-two links from post number sixteen rear of the seventh concession and running north thirty-six degrees west three chains and seventeen links along the south-west end of the graveyard, then north fifty-four degrees east seven chains ninety-two links along the north-west side of the graveyard to the north angle of the graveyard upon the rear of the seventh concession, then north thirty-six degrees west one chain, then south fifty-four degrees west eleven chains to the east bank of the creek, then keeping up the east bank of the creek to the line of separation between the road and lot number sixteen, then north fifty-four degrees east five chains fifty links to the place of commencement, subject, nevertheless, to a certain reservation, reserving to one Thomas Mansell, his heirs and assigns, of the right and privilege of raising the water of the aforesaid creek to the height of fifteen feet opposite to the aforesaid parcel or tract of land were granted by Elizabeth Mansell and others to Richard Oatway, James H. Wylie, John Alexander Gemmill, Andrew Wilson, Gavin Hamilton, Daniel Drummond, Bemsley B. Smart, Matthew McFarlane and Gilbert Moir, the Trustees of the Congregation of The Presbyterian Church of Canada in connection with The Church of Scotland in the Village of Almonte, their successors and assigns forever, upon the same trusts and with the same powers of appointment

ment of new trustees as are set forth and contained in the deed secondly hereinbefore recited; (Sixthly) that by deed bearing date the 2nd day of May, 1881, Thomas J. Mansell and others did grant, release and quit claim unto the trustees of St. Andrew's Congregation of The Presbyterian Church in Canada in the Town of Almonte, their successors and assigns forever, all their estate, right, title, interest, claim and demand in the lands hereinbefore fifthly described upon the trusts and conditions set forth and contained in the deed bearing date the 6th day of July, 1874, and hereinbefore fifthly mentioned; (Seventhly) that the church in which the congregation of The Presbyterian Church, Almonte, worship, is erected on said lots four and five on Elgin Street in the Anderson Section of the said Town of Almonte hereinbefore secondly and thirdly described; (Eighthly) that the manse wherein the minister of the said congregation resides is erected on said part of lot number seventeen and lot number eighteen on the said Elgin Street in the Anderson Section of the said Town of Almonte as hereinbefore fourthly described; (Ninthly) that the remainder of the said lands are used by The Presbyterian Church, Almonte, for the purpose of burying grounds; (Tenthly) that all the above mentioned lands are free of encumbrance excepting the trusts relating thereto; (Eleventhly) that by an Act of the Legislature of the Province of Ontario passed in the thirty-eighth year of the reign of Her Late Majesty Queen Victoria, intituled "An Act respecting the Union of Certain Presbyterian Churches therein named" The Presbyterian Church in Canada in connection with the Church of Scotland and certain other Presbyterian Churches were united under the name of "The Presbyterian Church in Canada"; (Twelfthly) that the congregation on whose behalf the said lands were formerly held was known as St. Andrew's Congregation, a Congregation of the religious body known as The Presbyterian Church in Canada, but the said St. Andrew's Congregation, having united with St. John's Congregation, being another congregation of the same religious body, thereupon formed and became a new congregation under the name of The Presbyterian Church, Almonte, and on behalf of the last named congregation, the said lands are now held; (Thirteenthly) that the trustees named in the said deeds are now deceased and although the said deeds secondly, thirdly, fourthly, fifthly and sixthly, hereinbefore mentioned, provided that in case of a vacancy amongst the trustees arising, the remaining trustees or trustee should have full power to name a person, being a male member of the said congregation, to fill such vacancy, such appointment to be made under the hand of the trustee or trustees making such appointment and to be endorsed on the back of such deed or, in case of the loss or destruction of such deed, then such appointment to be entered in a book for

that

that purpose provided and in the event of the omission for three calendar months to make such appointment then the congregation might appoint trustee or trustees from amongst the male members of the church, yet, all the original deeds hereinbefore mentioned having been lost, mislaid or destroyed and no such book as hereinbefore mentioned having ever been kept or provided or having been kept or provided cannot now be found, the said petitioners were by the congregation of The Presbyterian Church, Almonte, duly elected the trustees thereof to fill the vacancies in the trusteeship, and doubts having arisen as to whether successors to the trustees named in the various aforesaid deeds had been appointed, the said petitioners were by the said congregation elected the successors to the original trustees; (Fourteenthly) that the Congregation of The Presbyterian Church, Almonte, desires that the said lands be vested in the said petitioners as trustees of the said church upon the trusts hereinafter appearing; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Lands
vested in
trustees.

1. The said lands shall, by virtue of this Act, be and are hereby declared to be, vested in the said James McLeod, John Neilson, Andrew Cochrane, Robert Young and Matthew Aikenhead, and their successors in the trust to be appointed as hereinafter provided under the name of the Trustees of The Presbyterian Church, Almonte, upon trust to hold the said lands for the sole use and benefit of the congregation of the Presbyterian Church, Almonte, for the site of a church or meeting-house, burial ground and residence for the minister (as the said congregation may from time to time direct) and for the support and maintenance of public worship and the propagation of Christian knowledge, according to the doctrines, discipline and modes of worship of the said Presbyterian Church in Canada, and subject to the provisions of *The Religious Institutions Act* and of an *Act respecting the Union of Certain Presbyterian Churches therein named*, and upon further trust that the trustees and their successors shall and will well and truly obey, perform and fulfil, and permit and suffer to be obeyed, performed and fulfilled with respect to the lands and to any church or other building or buildings now erected or to be erected upon the said lands, or to any burial ground, if the said lands or any part thereof shall be used as a burial ground, the lawful orders and directions respectively of the said congregation, the Deacon's Court, if any, the Kirk Session of the said congregation, the Presbytery and Synod respectively within whose bounds and under whose inspection and ecclesiastical jurisdiction the said congregation shall from time to time be,

Rev. Stat.
c. 286.

be, and the General Assembly or other Supreme Court of The Presbyterian Church in Canada.

2. The said James McLeod shall hold the office of trustee until the first meeting of the congregation in the year 1917; John Neilson, another of the said trustees, shall hold the office of trustee until the first meeting of the congregation in the year 1918; Andrew Cochrane, another of the said trustees, shall hold the office of trustee until the first meeting of the congregation in the year 1919; Robert Young, another of the said trustees, shall hold the office of trustee until the first meeting of the congregation in the year 1920; and Matthew Aikenhead, another of the said trustees, shall hold the office of trustee until the first meeting of the congregation in the year 1921; and the said trustees shall respectively hold office until the appointment of their successors, except in case of death, resignation or ceasing to be a member of the congregation in full communion.

Term of
office of
trustees.

3. With respect to the election and appointment of new trustees it is declared that at the general meeting of the congregation first held each year, called by a written notice read to the congregation at each diet of worship on each of the two next preceding Sabbaths by the officiating minister or other person appointed to read the same, the said congregation shall elect and appoint one trustee to fill the office of the trustee whose term of office shall then have expired, by the votes of the majority of the members of the congregation in full communion then present, such trustee to be a member of the congregation in full communion, and that such last mentioned trustee shall hold office until the first congregational meeting called in the manner above mentioned and held in the fifth year after his appointment or until his successor is appointed, except in case of death, resignation or ceasing to be a member of the congregation in full communion, and in case any trustee shall, during his term of office, die, resign or cease to be a member of the congregation in full communion, the remaining trustees shall have all the powers of the full board and shall for all purposes be the trustees of the said congregation unless the congregation shall think fit to appoint new trustee or trustees in place of any trustee or trustees so dying, resigning or ceasing to be a member of the congregation in full communion. The said congregation may at any meeting of the congregation called by a written notice read to the congregation by the officiating minister or other person appointed to read the same at each diet of worship on each of the two next preceding Sabbaths appoint by the votes of the majority of the members of the congregation in full communion then present a new trustee or new trustees to fill for the residue of such term of office any vacancy or vacancies

Appoint-
ment of
new
trustees.

caused

caused as aforesaid. That a minute of every such election or appointment shall be entered in the regular minute book of the congregation and shall be signed by the person who presided at the meeting, and such minute so signed shall for all purposes be sufficient evidence of the fact that the persons therein named were elected and appointed at such meeting, but the omission or neglect to make or sign such minute shall not invalidate the election or appointment. That in case at any time the said trusteeship shall for any reason become wholly vacant so that there shall be no remaining trustee, the Moderator and Clerk of the Presbytery, within whose bounds and under whose jurisdiction the said congregation shall be, shall thereupon forthwith become and be trustees until others are duly appointed and at any time thereafter the Presbytery may cause notice to be given from the pulpit at each diet of worship on two consecutive Sabbaths requiring the said congregation to proceed to the appointment of new trustees and if the said congregation omit to appoint such trustees then it shall be lawful for the said Presbytery within the bounds of which Presbytery the said congregation is situate to nominate and appoint trustees to fill such vacancies and such trustees shall be fully entitled to do all acts as might or could be done by trustees duly appointed by the congregation.

CHAPTER 114.

An Act respecting St. Andrew's Church, Ottawa.

Assented to 27th April, 1916.

WHEREAS the Temporal Committee of St. Andrew's Church, in the City of Ottawa, have by their petition represented that they desire to obtain an Act making certain amendments to the following Acts respecting St. Andrew's Church, Ottawa, namely: The Act passed by the Legislature of the Province of Ontario, in the thirty-first year of the reign of Her late Majesty Queen Victoria, chaptered 61; the Act passed by the Legislature of Ontario in the thirty-eighth year of the reign of Her said Majesty, chaptered 86; and the Act passed by the Legislature of Ontario in the fifty-third year of the reign of Her said Majesty, Chaptered 144; and whereas the congregation of St. Andrew's Presbyterian Church, Ottawa, hereinafter referred to as the Congregation, have by resolution, approved of the said petition, and of the provisions of this Act, and the said Temporal Committee have prayed for the passing of an Act as herein set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The name of "The Temporal Committee of St. Andrew's Church, in the City of Ottawa, in connection with the Church of Scotland" is hereby changed to "The Temporal Committee of St. Andrew's Church, Ottawa," and the said committee is hereinafter referred to as "the temporal Committee."

2. In addition to any powers heretofore conferred upon or exercised by the Temporal Committee, the Temporal Committee shall have general charge of the collection, management and administration of the revenues and funds of the congregation.

Provided

Proviso.

Provided, that nothing in this Act contained shall affect, impair, or take away any powers, or duties vested in the Kirk Session, in regard to the collection of moneys for charitable or benevolent purposes or in aid of the general funds of the Presbyterian Church; nor any of the powers or duties of the Glebe Trustees of St. Andrew's Church, Ottawa, hereinafter called the Glebe Trustees, in regard to the management and sale of the Glebe Lands, and the application of the principal and revenue of the said lands, for any of the purposes provided by the said Act, passed in the fifty-third year of the reign of Her late Majesty, chaptered 144.

Property
vested in
Temporal
Committee.

3. All the property, real and personal, funds and assets of every kind or description now vested in or owned or held by the congregation, or to which the congregation is, or may be in any wise entitled, save and except the assets, lands, property, money and securities vested in and held and administered by the Glebe Trustees, are hereby vested in and transferred to the Temporal Committee, but the Temporal Committee shall not have the power to lease or sell any of the lands and premises of the congregation, except as provided in sections 4 and 5 of the said Act, chapter 61, passed in the thirty-first year of the reign of Her said Majesty, nor to deal in any way with the moneys arising from sales of Glebe Lands, except as provided by section fifteen of this Act.

Repeal of
certain
sections of
31 Vic., c. 61.

4. Sections six, seven, nine, ten, eleven, thirteen and fifteen (as amended by section 22 of the said chapter 144, passed in the fifty-third year of the reign of Her said Majesty) of the said chapter 61 passed in the thirty-first year of the reign of Her said Majesty, sections six, seven, eight, nine and ten of the said chapter 86, passed in the thirty-eighth year of the reign of Her said Majesty, and section 22 of the said chapter 144, passed in the thirty-third year of the reign of Her said Majesty, are hereby repealed.

33 Vic.,
c. 144,
s. 16 re-
pealed.

5. Section 16 of the Act passed in the fifty-third year of the reign of Her said Majesty, chaptered 144, is hereby repealed and the following section is substituted therefor:—

Composition
of Temporal
Committee.

16.—(1) Unless and until otherwise provided by by-law of the congregation, the Temporal Committee shall be composed of six members who shall hold office for three years, two of such members retiring annually in rotation.

Qualifica-
tion of
members of
committee.

(2) The qualification for membership of the Temporal Committee, the order in which the members of the Temporal Committee shall retire, and the period for which each of them shall hold office, shall

shall continue for each of the members of the said committee respectively, as they exist at the time of the passing of this Act, until otherwise provided.

6. The congregation, in general meeting assembled, may ^{General power of} pass such by-law or by-laws respecting the temporal affairs ^{congregation} of the congregation as shall not be contrary to the laws ^{tion to pass} of the Province or to the established laws and usages of the Presbyterian Church in Canada, or to the provisions of this Act, and as may appear necessary, or expedient for the interest of the congregation.

7. Without limiting the general powers of passing by-laws, ^{Special power of} conferred by the preceding section, the congregation may pass ^{congregation} by-laws for any of the purposes following:— ^{tion to pass} ^{by-laws.}

- (a) To fix the number of members of the Temporal Committee, either by increasing or diminishing such number;
- (b) To establish such other committees as it may deem necessary;
- (c) To fix the qualification of persons to be elected members of the Temporal Committee, and to declare and define the method of election, or appointment of such members, and the period for which such members shall respectively hold office;
- (d) To empower the Temporal Committee to appoint such officers for the care and management of the property of the congregation as may be deemed expedient;
- (e) To provide for the election by the Temporal Committee itself, or by such other method of election as may seem expedient of an executive committee with such powers and subject to such supervision or control by the Temporal Committee, as may seem advisable;
- (f) The powers herein conferred may be exercised from time to time, and as often as the said congregation may consider it advisable so to do, and they shall have power to repeal or amend any by-law passed by them for any of the purposes aforesaid, and to re-enact the same in whole or in part as often as they may see fit.

General meeting of members of congregation.

8. A general meeting of the members of the congregation shall be held on such day, or days, in each year as may be fixed by by-law of the congregation for the election of members of the Temporal Committee, of the Glebe Trustees, and of such other committees and officers of the church as may be authorized by by-law of the congregation, for the transaction of all matters and things relating to the affairs of the congregation, for the receiving of the reports of the different committees or organizations of the church, and for the transaction of any such business as may be brought before the meeting.

Date of annual meeting.

9. Until otherwise provided by by-law the annual meeting of the congregation shall be held on the first Monday of the month of March in each year.

Special meetings of congregation.

10. Special meetings of the congregation may also be called at any time, by the Temporal Committee, or by the Glebe Trustees, and it shall be the duty of the Temporal Committee, or of the Glebe Trustees, as the case may be, upon receiving a requisition, signed by not less than ten members of the congregation, to call a special meeting of the congregation, to be held as soon as due notice can be given after the delivery of such requisition.

What requisition for special meeting to set out.

11. The requisition and any notice calling special meetings of the congregation shall specify the purpose or object of the meeting and no business shall be transacted at any special meeting other than that specified in the notice calling the same.

33 Vic., c. 144, ss. 5 and 31 repealed.

12. Sections five and thirty-one of chapter 144, passed in the fifty-third year of the reign of Her said Majesty, are hereby repealed.

Approval of congregation to by-laws.

13. No by-law of the congregation, of the Temporal Committee, or of the Glebe Trustees shall have any force or effect unless and until the same is ratified and approved by a majority of those members of the congregation who are present at any annual or special meeting of the congregation.

Notice calling general or special meeting.

14. Notice calling any general or special meeting of the congregation shall be given from the pulpit of St. Andrew's Church during the service on each of the two consecutive Sundays immediately preceding the day appointed for such meeting, or may be given in such other manner and for such period, not less than seven days prior to such meeting, as may be provided by by-law of the congregation duly sanctioned for that purpose.

15. Section 13 of the Act passed in the fifty-third year^{33 Vic., c. 144, s. 13} of the reign of Her said Majesty, chaptered 144, is hereby repealed. repealed.
repealed, and the following section is substituted therefor:—

- 13.—(1) The moneys received from sales of land shall ^{Moneys received from sale of land.} be separated and kept separate from the rents and interest, and shall be funded and shall be applied to such purposes as from time to time may be designated by by-law of the Temporal Committee duly sanctioned, in the manner defined by sub-section 2 of this section at a general meeting of the congregation, provided that such purpose is within the scope of this Act, or of any of the Acts hereby amended.
- (2) Provided that such by-law shall not be valid unless ^{Sanction to by-law.} the same is sanctioned at an annual or special meeting, after notice of the intention to submit such by-law has been duly given, at which meeting there shall be present not less than thirty persons qualified to vote, nor unless such by-law is approved by the votes of not less than two-thirds of the persons present at such meeting who are duly qualified to vote thereat.
- (3) Upon the authority of such by-law duly sanctioned, ^{Payment over to Temporal Committee.} it shall be the duty of the Glebe Trustees to pay over to the Temporal Committee so much of the principal moneys in their hands as are designated by such by-law.
- (4) Pending such payment, and unless invested under ^{Deposit of money in chartered bank pending payment over.} the powers conferred by section fourteen of said chapter 144, passed in the fifty-third year of the reign of Her said Majesty, all such moneys shall be deposited in one of the chartered banks of the Dominion of Canada to the credit of the Trustees, and shall only be withdrawn by the cheque of the majority of the Trustees.

16. All resolutions passed by the congregation previous to the passing of this Act, purporting to sanction or approve of ^{Confirmation of resolutions approving of by-laws.} by-laws to authorize the expenditure of any moneys, whether as principal or interest, arising from the sale of Glebe Lands, are hereby declared to have been validly passed and the said by-laws to have been validly sanctioned and approved, and the expenditure made thereunder to have been duly and properly made, provided such by-laws were sanctioned and approved by a majority of the persons present and entitled to vote at such meetings of the congregation.

CHAPTER 115.

An Act respecting the Synod of the Diocese of Toronto.

Assented to 27th April, 1916.

Preamble.

WHEREAS the Incorporated Synod of the Diocese of Toronto (herein called "the Synod") has by its petition represented that under and by virtue of an Act passed in the Second Session of the sixty-second year of Her late Majesty Queen Victoria's reign and chaptered 111, the Synod was empowered to execute and issue debentures, not exceeding at any one time in the whole the sum of fifty thousand dollars, for the purposes therein set out, the said debentures to be payable as therein provided, and to be a charge on the lands and premises comprised in the Endowment of the Rectory of Saint James in the City of Toronto, and that it is necessary for the purposes for which the issue of the said debentures was authorized that the amount of the said debentures should be increased from fifty thousand dollars to one hundred thousand dollars; and whereas the Synod has prayed that an Act may be passed for the said purposes and no one has appeared to oppose the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to
issue debentures up to
\$50,000.

1. It shall be lawful for the Synod to execute and issue debentures in addition to those authorized by the said Act not exceeding at any one time in the whole the sum of fifty thousand dollars, in such sums of not less than one hundred dollars each, as the Synod shall determine.

Period of
payment.

2. The said debentures shall be made payable at such period, not exceeding twenty years from the date thereof as the Synod may direct. Coupons shall be attached to the said debentures for the payment of the interest thereon, and such interest

interest shall be payable at such rate as the Synod shall direct, and shall be paid half-yearly.

3. A portion of the debentures to be issued under this Act shall be made payable in each year after the issue of the debentures for a period not exceeding twenty years, and so that the aggregate amount payable for principal and interest in any one year in respect to such debentures shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the debenture debt is to be discharged.

Annual instalments of principal and interest.

4. The funds to be raised by the issue of debentures authorized as aforesaid shall be applied to any of the purposes mentioned in section 4 of the said Act.

Application of proceeds of debentures.

5. Subject to the right of the Incumbent of the Rectory of Saint James in the City of Toronto to receive out of the income of the Toronto Rectory Endowment the sum of five thousand dollars a year, the debentures so issued as aforesaid shall, without registration or formal conveyance be taken and considered to be charges upon the lands and premises comprised in said Endowment, and the holder of any of the said debentures shall be deemed to be a mortgagee and encumbrancer pro rata with the other holders thereof, and all debentures issued in pursuance of the said Act passed in the sixty-second year of Her late Majesty's reign shall be a charge upon the said lands and premises and the revenues derived therefrom, but such debentures shall not form any charge upon the other assets and property of the Synod.

Debentures a charge on lands and premises comprised in endowment.

6. The Synod may sell, assign or pledge all or any of the said debentures for the purpose of raising money for any of the purposes mentioned in section 4 of the said Act.

Sale, assignment or pledge of debentures.

7. No person advancing money on or for the purchase of the debentures to be issued under the provisions of this Act shall be in any way bound to see to the application of the moneys so advanced.

Purchaser of debentures not bound to see to application.

8. The Synod may, in lieu of issuing debentures, mortgage the said lands or any of them for the purpose of raising money to be expended for any of the purposes mentioned in section 4 of the said Act.

Raising money by way of mortgage.

9. The powers conferred upon the Synod by the previous provisions of this Act shall be exercised by the Executive Committee of the Synod.

Executive committee to exercise powers.

CHAPTER 116.

An Act relating to the Estate of Walter Dowker
Beardmore, deceased.*Assented to 27th April, 1916.*

Preamble.

WHIEREAS Melinda Elizabeth Beardmore, Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Frederick Weir Harcourt, Official Guardian, and Walter B. Kingsmill have by their petition set forth that Walter Dowker Beardmore, late of the City of Toronto, in the County of York, died on or about the 23rd day of May, 1915, having first made and published as and for his last will and testament and codicil thereto two certain instruments bearing date the 27th day of June, 1914, and the 18th day of May, 1915, respectively, probate whereof was granted by the Surrogate Court of the County of York on the 16th day of August, 1915, to the Royal Trust Company, the executor named in said will; that the said Walter Dowker Beardmore in his lifetime created a trust of certain policies of insurance on his life by eight several instruments bearing date the 6th day of May, 1893, the 6th day of May, 1893, the 25th day of March, 1896, the 25th day of March, 1896, the 7th day of February, 1901, the 2nd day of August, 1907, the 25th day of November, 1913, and the 27th day of June, 1914, respectively, under which instruments such policies of insurance became payable to the said Royal Trust Company upon the trusts in said instruments declared; that there survived the said Walter Dowker Beardmore his wife, Melinda Elizabeth Beardmore, five children, namely, Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore, the last two named being persons of unsound mind not so found by inquisition or judicial declaration and eight grandchildren, namely, Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore, all of whom are infants under

under the age of twenty-one years; that an action was instituted in the Supreme Court of Ontario by the said Frances Constance Kingsmill against the other beneficiaries under the said will and codicil and said insurance trust and the Royal Trust Company as executor of such will and codicil and trustee under said insurance trust to have the said probate set aside and to have it declared that the said Walter Dowker Beardmore died intestate on the ground that the said testamentary dispositions were brought about by delusions in his mind and that at the times when same respectively were executed he was devoid of testamentary capacity, and in the alternative for a declaration construing the said will, and said insurance trust instrument of the 7th February, 1901, as is more fully set out in the proceedings in said action; that by order made in the said action on the said 6th day of December, 1915, the said Frederick Weir Harcourt, Official Guardian, was appointed to represent for the purposes of the action all unborn persons who might be entitled to any interest in the estate of the said Walter Dowker Beardmore, deceased, either under his will or otherwise, and by a further order made in the said action on the 6th day of December, 1915, the said Walter B. Kingsmill was appointed guardian *ad litem* of the defendants Charles Owen Beardmore and Everett Clement Beardmore; that the plaintiff moved for judgment in the said action on the terms of a proposed agreement of compromise by way of family arrangement and by consent of all parties such motion for judgment was turned into a trial of the action; that by judgment delivered in the said action on the 5th day of February, 1916, the Court approved the proposed agreement of compromise by way of family arrangement as a final settlement of all questions arising in the action and of all other matters covered by such agreement and authorized the execution of such agreement by the said Walter B. Kingsmill on behalf of the defendants Charles Owen Beardmore and Everett Clement Beardmore and by the said Frederick Weir Harcourt on behalf of the infant defendants and all unborn persons who might be entitled to any interest in the estate of the said Walter Dowker Beardmore either under his will or otherwise; that such agreement of compromise by way of family arrangement has been executed by Melinda Elizabeth Beardmore, Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Frederick Weir Harcourt and Walter B. Kingsmill; and whereas the said petitioners have prayed that an Act may be passed confirming the said agreement of compromise by way of family arrangement and the said judgment; and whereas it is expedient to grant the prayer of the said petition;

Therefore

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Agreement
of compromise
by way of
family arrangement
and judgment
of court confirmed.

1. The agreement of compromise by way of family arrangement, a copy of which is set out as Schedule "A" hereto, and the judgment delivered on the 5th day of February, 1916, a copy of which is set out as Schedule "B" hereto, are declared to be final, conclusive and binding upon all persons parties to the said action or therein represented notwithstanding that any of the persons parties to or represented in said action may be under disability or may be unborn, it being hereby declared that all such persons were properly represented in the said action.

Administration
of estate by
Royal Trust Co.
et al.

2. The Royal Trust Company as executor and trustee of the last will and testament and codicil thereto of the said Walter Dowker Beardmore, deceased, and as trustee under said insurance trust instruments and any other person or persons, corporation or corporations, who shall hereafter be trustee or trustees of the said will and codicil or of said insurance moneys shall administer the estate of the said Walter Dowker Beardmore, deceased, and said insurance trust in accordance with the terms of such family arrangement so approved by the judgment of the Court as aforesaid.

Confirmation
of acts done
in pursuance
of agreement
and judgment.

3. Everything done by the said Royal Trust Company under and in pursuance of the said family arrangement and judgment and everything which may hereafter be done in compliance with or in pursuance of the said family arrangement and judgment by the Royal Trust Company or by the person or persons, corporation or corporations which for the time being may be trustee or trustees of said will or codicil or of such insurance trust, is hereby declared to be valid and effective, and all such acts are hereby confirmed and ratified.

SCHEDULE "A."

Memorandum of Agreement made this fifth day of February in the year of our Lord one thousand nine hundred and sixteen,

Between

Melinda Elizabeth Beardmore; Frances Constance Kingsmill; Walter Williams Beardmore; George Lissant Beardmore, acting herein by his attorney the said Walter Williams Beardmore under power of attorney, copy of which is hereto attached; Charles Owen Beardmore and Everett Clement Beardmore, acting herein by Walter B. Kingsmill, their guardian appointed by an order of the Supreme Court of Ontario, copy of which is hereto attached; Walter Juchereau Kingsmill; Charles Grange Kingsmill; Diana Elizabeth Constance Kingsmill; Marguerite Evelyn Beardmore; Eric Walter Beardmore; Nadine Elizabeth Grace Beardmore; Patricia Margaret Beardmore and Katherine Merry Beardmore, infants under the age of twenty-one years, represented and acting herein by Frederick W. Harcourt, one of His Majesty's Counsel, learned in the law, Official Guardian;

and

The said Frederick W. Harcourt, Official Guardian, representing all persons who may hereafter be born and who would be entitled to any interest in the estate of Walter Dowker Beardmore, deceased, either under his will or otherwise, appointed by order of the Supreme Court of Ontario, copy of which is hereto attached.

Whereas the said Melinda Elizabeth Beardmore is the widow and the said Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore are the daughter and sons and only surviving children and the said Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore are the grandchildren of Walter Dowker Beardmore, late of the City of Toronto, who departed this life on or about the 23rd day of May, 1915, having theretofore, to wit, on or about the 27th day of June, 1914, made and published as and for his last will and testament the instrument of that date hereinafter referred to; and having further, to wit, on or about the 18th day of May, 1915, made and published as a codicil to such will a further instrument of said last mentioned date;

And whereas on or about the 16th day of August, 1915, the Surrogate Court of the County of York granted probate of the said will and codicil to the Royal Trust Company, the executor named in said will;

And whereas the said late Walter Dowker Beardmore in his lifetime created a trust of certain policies of insurance on his life under and by an instrument bearing date the 6th day of May, 1893, between the said late Walter Dowker Beardmore of the first part and one Walter MacDonald, since deceased, and one Alfred Owen Beardmore, of the second part, which insurance trust was from time to time varied and added to by several instruments including an instrument dated the 25th day of March, 1896, between the said late Walter Dowker Beardmore, of the first part, and the said late Walter MacDonald and the said Alfred Owen Beardmore, of the second part, and the Toronto General Trust Company of the third part, whereby the said The Toronto General Trusts Company was appointed trustee under said trusts in lieu of the said late Walter MacDonald and the said Alfred Owen Beardmore; three several

instruments

instruments between the said late Walter Dowker Beardmore, of the first part, and The Toronto General Trusts Corporation (formerly the said The Toronto General Trust Company), of the second part, dated respectively, 7th February, 1901, 2nd August, 1907, and 25th November, 1913, and a certain deed of appointment dated 27th June, 1914, whereby the said Royal Trust Company was, pursuant to the powers reserved in said instrument of the 2nd August, 1907, appointed trustee under said trusts in lieu of the said The Toronto General Trusts Corporation;

And whereas an action has been instituted and is now pending in the Supreme Court of Ontario by the said Frances Constance Kingsmill against the Royal Trust Company, executor of said will, and the beneficiaries other than the said Frances Constance Kingsmill named therein, to have the said Letters Probate set aside and to have it declared that the said Walter Dowker Beardmore died intestate on the ground that the said testamentary dispositions were brought about by delusions in his mind and that at the times when same respectively were executed, he was devoid of testamentary capacity; and in the alternative for a declaration construing the said will and also for a declaration construing said insurance trust instrument of the 7th February, 1901, as is more fully set out in the proceedings in said action;

And whereas all parties recognize that even if said will and codicil are held to be valid, grave doubts exist as to whether same provide for certain contingencies which may arise and as to the true construction thereof with reference to other contingencies for which said will purports to provide and particularly under the twentieth clause thereof, providing for the ultimate distribution of the residuary estate of the said late Walter Dowker Beardmore, which clause is in the words following:

On the death of my wife and of all my children to divide the residue of my property into as many portions as there shall have been born grandchildren of mine, and to hold one of such portions in trust for my granddaughter Diana Elizabeth Constance Kingsmill, paying her during her life the income from the same (or if she shall have died before that time in trust for her children in equal shares) and upon her death to hold the same in trust for her children in equal portions until they respectively come of age, using the income from their respective shares in the maintenance, support and education of each respectively during minority and to pay over the principal to each one as he or she shall respectively attain the age of twenty-one years; to hold another of such portions in trust for my granddaughter Marguerite Beardmore (daughter of George Lissant Beardmore) and her children upon the like trusts as hereinbefore declared in respect of the portion of my granddaughter Diana Elizabeth Constance Kingsmill; to hold another of such portions in trust for my granddaughter Nadine Elizabeth Grace Beardmore and her children upon the like trusts as hereinbefore declared in respect of the portion of my granddaughter Diana Elizabeth Constance Kingsmill; to hold another of such portions in trust for my granddaughter Patricia Beardmore and her children upon the like trusts as hereinbefore declared in respect of the portion of my granddaughter Diana Elizabeth Constance Kingsmill; to hold another of such portions in trust for my granddaughter Katherine Merry Beardmore and her children upon the like trusts as hereinbefore declared in respect of the portion of my granddaughter Diana Elizabeth Constance Kingsmill; and to pay one of such portions to each of my other grandchildren then surviving, and in case of the death of Walter Juchereau Kingsmill, Charles Grange Kingsmill or Eric Walter Beardmore before the period of distribution then to hold the share of such deceased in trust for his children in equal shares; provided that the amount so given to the children of any one of my sons shall not exceed one-fifth of the whole of such residue and any excess arising in such case shall be given to the then surviving children of my said daughter Frances Constance Kingsmill to be divided equally among them.

Provided

Provided and I expressly will and direct that in case either of my sons Charles Owen Beardmore or Everett Clement Beardmore shall marry without first having the written consent of my sons George Lissant Beardmore and Walter Williams Beardmore and my daughter Frances Constance Kingsmill, then the children of that son so marrying without such consent shall not inherit or participate in the final distribution of my estate, but the share which they would have inherited if such share had been obtained shall fall into and form part of my general estate;

And whereas all parties also recognize that grave doubts exist as to the true construction of clause 2 of the said Insurance Trust instrument, of the 7th February, 1901, which clause is in the words following:

The surplus, if any, of the income of said trust fund from time to time shall be allowed to accumulate and be added to the principal and the principal moneys of said trust fund including such accumulations shall be retained until the death of the donor's wife and all of the donor's children, whereupon the same shall be divided among the donor's grandchildren as follows, namely: One equal share to the children surviving of each of the donor's children such share as between the children of each of the donor's children as between themselves to be divided equally share and share alike; subject, however to the power of appointment of each of the donor's children in respect of an equal share of said trust fund to be exercised by will such power of appointment being limited in case such child of the donor shall leave children him or her surviving to such apportionment among them as to such donor's child shall seem proper with the right to exclude one or more of them from participation, but in case the said donor's child shall not leave any children him or her surviving then such power of appointment may be exercised in favour of any one or more of the grandchildren of the said donor in such proportion as to such donor's child shall seem meet, and it is expressly directed that if any such appointment shall be made in favour of any grandchild of the donor who shall die after the making of such appointment but before the period of distribution, such appointment if from its terms it shall be capable of vesting in or for the benefit of the estate of such grandchild shall not be defeated by reason only of the death of such grandchild before the arrival of the period of distribution of said trust fund;

And whereas differences have arisen between the said Melinda Elizabeth Beardmore and the said Royal Trust Company as to the right to receive the sum of one thousand dollars payable by the Commercial Travellers Association of Canada by way of mortuary benefit in respect of the membership of the said late Walter Dowker Beardmore in the Commercial Travellers Association, which amount is claimed by the Royal Trust Company as part of the said insurance trust and by the said Melinda Elizabeth Beardmore under an alleged subsequent declaration of the said late Walter Dowker Beardmore in her favour;

And whereas during the lifetime of the said late Walter Dowker Beardmore a contract was entered into for the purchase of certain lands in the City of Ottawa whereon was erected a residence for the said Frances Constance Kingsmill;

And whereas the said Frances Constance Kingsmill claims that although the contracts for the purchase of land and erection of residence were entered into in her name the same were entered into under the instructions of and on behalf of the said late Walter Dowker Beardmore and that the said land and residence were intended to be a gift by the said late Walter Dowker Beardmore to her;

And whereas there remains unpaid of the purchase money on said lands a balance of five thousand dollars and certain interest thereon and of architect's fees a balance of two hundred and fifty dollars;

And

And whereas all moneys heretofore paid in connection with the price of said lands and the erection of said residence were paid by the said late Walter Dowker Beardmore who kept an account of such payments in his private ledger, and who in his lifetime caused an entry to be made in said account in the words following:

"This account is simply a record of amounts disbursed for land and construction of dwelling, which W. D. Beardmore has made a present to his daughter F. C. Kingsmill. The property was Mrs. Kingsmill's by gift when operations began.";

And whereas it is in the interests of the present and all future members of the family that a fair and reasonable family arrangement shall now be entered into to settle and adjust all present differences and disputes, to provide for certain contingencies not provided for by said will and to remove doubts as to the true construction of said will and of the said insurance trust instrument of the 7th February, 1901, so as to avoid future disputes, differences and litigation and conserve not only the best interests but also the honour and good name of the family;

And whereas Evelyn Anna Beardmore and Frederick Archer, who are beneficiaries under the said will and are named as defendants in said action are not interested in and not affected by the family arrangement hereby intended to be made;

Now these presents witness that in consideration of the premises and of the mutual conditions, agreements and concessions herein-after set out the parties, subject to the approval of the Court have agreed as follows:

1. That subject to the terms of this family arrangement the provisions of the said will of the 27th June, 1914, as amended by said codicil of the 18th May, 1915, are accepted by all parties.

2. That one-third of the surplus income (after payment of the annuities directed by the said will and codicil to be paid and all expenses from time to time chargeable to income) of the property and estate devised and bequeathed by said will and codicil, which shall accrue from time to time prior to the distribution of the residuary estate, shall be paid by the trustee or trustees under the said will from time to time to the said Melinda Elizabeth Beardmore during her life and after her death to such of her children or remoter issue and in such proportions as she shall by will appoint and in default of appointment, or so far as the appointment does not extend, to all her children in equal shares, the issue of any child dying in the lifetime of the said Melinda Elizabeth Beardmore taking the share which his, her or their parent would have taken; and the remaining two-thirds thereof shall be distributed and paid by the said trustee or trustees in manner following, that is to say, in five equal shares as increased annuities for Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore and their respective children and remoter issue; provided that the whole of such surplus income including as well the one-third so directed to be paid to Melinda Elizabeth Beardmore and after her death as she shall appoint as aforesaid, as the remaining two-thirds, shall be subject to the same terms, trusts, conditions and provisions as by said will (as interpreted, modified and altered by these presents) are declared in regard to the respective annuities bequeathed to or for the said Melinda Elizabeth Beardmore, Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore respectively by said will; the increased annuities for Charles Owen Beardmore and Everett Clement Beardmore to be paid from time to time to Melinda Elizabeth Beardmore and Frances Constance Kingsmill or other the trustees for the time being lawfully appointed of the annuities under said will for the said Charles

Owen

Owen Beardmore and Everett Clement Beardmore, unless and until the courts of the Province of Ontario shall duly appoint a committee of the property of the said Charles Owen Beardmore and Everett Clement Beardmore or either of them, whereupon the shares of such surplus income of the said Charles Owen Beardmore and Everett Clement Beardmore or either of them, as the case may be, shall be payable to such committee instead of to the said trustees.

3. That the residue of the property of the said late Walter Dowker Beardmore referred to in the twentieth clause of said will shall on the arrival of the period of distribution be divisible into as many portions as there shall have been born grandchildren of the said late Walter Dowker Beardmore who shall be surviving at the date of the distribution or who having died before that date shall leave issue then surviving, and that one of such portions shall immediately on the arrival of the date of distribution vest *per stirpes* in the issue then surviving of any grandchild of the said late Walter Dowker Beardmore born after his death who shall die before the arrival of the date of distribution leaving issue then surviving.

4. That in the event of the death after the date of distribution of any granddaughter mentioned by name in the twentieth clause of the said will, namely, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore (in said will called Marguerite Beardmore) Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore (in said will called Patricia Beardmore) and Katherine Merry Beardmore, without leaving issue her surviving, the share or portion of which such granddaughter shall have been receiving the income shall be payable to her surviving brothers and sisters and the issue of any deceased brother or sister *per stirpes*, and that if any of said named granddaughters shall become entitled to the whole or any part of the share or portion of her deceased sister the same shall be payable absolutely and not subject to the trusts by said clause declared with reference to her own share or portion; and in the event of any such granddaughter so dying without issue leaving no surviving brother or sister or issue of any deceased brother or sister that the said late Walter Dowker Beardmore shall be deemed to have died intestate as to such share or portion and that the same shall be deemed to have vested immediately on his death in his next of kin, being the said Melinda Elizabeth Beardmore as to one-third thereof and the said Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore in equal shares as to the balance thereof.

5. That the words "my general estate" in said twentieth clause mean the residuary estate of the said late Walter Dowker Beardmore referred to in the beginning of the said clause as "the residue of my property," and that in case the sons of the said late Walter Dowker Beardmore or any of them shall leave surviving at the date of distribution no issue or no issue entitled to participate in said residue, the children or other surviving issue of the said Frances Constance Kingsmill shall be entitled to the portions which would otherwise have been payable to the children or other surviving issue of any of the said sons so leaving no issue or no issue entitled to participate as aforesaid.

6. That in the event of the death of the said Frances Constance Kingsmill without leaving issue surviving at the date of the distribution of the residuary estate of the said late Walter Dowker Beardmore referred to in said twentieth clause said residuary estate shall be divisible among the children or other issue of the sons of the said late Walter Dowker Beardmore without regard to the proviso in said clause that the amount given to the children of any one of the sons of the said late Walter Dowker Beardmore shall not exceed one-fifth of the whole residue; it being declared and agreed that said proviso was intended for the benefit of the children or other

other issue of the said Frances Constance Kingsmill and that same is not applicable and is of no effect in case the said Frances Constance Kingsmill shall die without leaving issue surviving at the date of distribution.

7. That the written consent to the marriage of the said Charles Owen Beardmore and Everett Clement Beardmore of the said George Lissant Beardmore, Walter Williams Beardmore and Frances Constance Kingsmill required by said twentieth clause of said will means the written consent of such of the said George Lissant Beardmore, Walter Williams Beardmore and Frances Constance Kingsmill as at the time of the marriage of the said Charles Owen Beardmore and Everett Clement Beardmore respectively shall be alive and not under legal disability to give such consent; provided that after the death or disability of all of them the said George Lissant Beardmore, Walter Williams Beardmore and Frances Constance Kingsmill the written consent of such person or persons as shall be designated for that purpose by instrument in writing duly executed by or by the last will and testament of the last surviving or continuing of them the said George Lissant Beardmore, Walter Williams Beardmore and Frances Constance Kingsmill shall be deemed to be substituted for the written consent of them the said George Lissant Beardmore, Walter Williams Beardmore and Frances Constance Kingsmill under the said clause; and provided further that in case of failure of such designation by written instrument or last will and testament as aforesaid; or in case of the death or disability of the person or persons so designated, the written consent of the person for the time being occupying the position of official guardian *ad litem* of infants in the Province of Ontario shall be deemed to be substituted for the written consent of the said George Lissant Beardmore, Walter Williams Beardmore and Frances Constance Kingsmill as provided in the said clause.

8. That the surviving issue, if any, of any child of the said Frances Constance Kingsmill or George Lissant Beardmore and the surviving issue, if any, of any child of the said Evelyn Anna Beardmore (begotten of her marriage with the said George Lissant Beardmore) and the surviving issue, if any, of any child of the said Charles Owen Beardmore and Everett Clement Beardmore (begotten of any marriage consented to as required by the said will as defined and interpreted by these presents) born after the death of the said late Walter Dowker Beardmore and the surviving issue, if any, of any child of the said Walter Williams Beardmore whether born before or after the death of the said late Walter Dowker Beardmore who shall die at any time before the death of the last survivor of the said Melinda Elizabeth Beardmore, Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore shall be entitled to the share or portion of the respective annuities mentioned in clauses nine, thirteen, fourteen, sixteen and seventeen respectively of said will (including all increases of such annuities provided for by said will or codicil or by these presents, and including also any sums to which the said Frances Constance Kingsmill or her children or other issue shall or may become entitled under clause eighteen) which would have been payable to such deceased child if surviving of the said Frances Constance Kingsmill, George Lissant Beardmore, Evelyn Anna Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore respectively.

9. That all income arising from said insurance trust moneys accruing after the expiration of twenty-one years from the death of the said late Walter Dowker Beardmore is not validly disposed of either by said insurance trust instruments or by said will and that said late Walter Dowker Beardmore died intestate as to such income accruing after said date and that same vested immediately on the death of the said late Walter Dowker Beardmore in his next of kin, being the said Melinda Elizabeth Beardmore as to one-third thereof and

and the said Frances Constance Kingsmill, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore and Everett Clement Beardmore in equal shares as to the balance thereof.

10. That the share or shares of said insurance moneys of any of the children of the said late Walter Dowker Beardmore who shall die without leaving issue surviving and without having exercised the power of appointment by will reserved in and by the trusts declared by said insurance trust instrument of the 7th February, 1901, are not disposed of by said insurance trust instruments or any of them but pass under the twentieth clause of the said will as part of the residuary estate of the said late Walter Dowker Beardmore.

11. That the said sum of one thousand dollars payable by the Commercial Travellers Association of Canada as aforesaid is payable to the Royal Trust Company as trustee under said insurance trust and the said Melinda Elizabeth Beardmore hereby abandons to the said Royal Trust Company all claim thereto and releases in favour of the beneficiaries under such trust all her claim to and interest in the said moneys.

12. That the sum of five thousand dollars, balance of purchase money of lands purchased for the residence of the said Frances Constance Kingsmill and all unpaid interest thereon including interest paid by the said Frances Constance Kingsmill since the death of the said late Walter Dowker Beardmore, and the balance of architect's fees of two hundred and fifty dollars payable to Howard Colton Stone, of Montreal, and the sum of five thousand dollars payable to Marion Melinda McKeand, of Toronto, professional nurse, constitute indebtedness of the said late Walter Dowker Beardmore payable out of his estate, and all parties hereto consent to the payment thereof accordingly.

As witness the hands and seals of the said parties respectively.

Signed, sealed and delivered in the presence of—

(Signed) S. FISH,
as to execution by M. E. Beardmore.

(Signed) ANNIE PRINGLE,
as to to execution by F. C. Kingsmill.

(Signed) A. J. THOMSON,
as to execution by W. W. Beardmore
on his own behalf and as attorney
for G. L. Beardmore.

(Signed) EDWARD GOODWIN,
as to execution by W. B. Kingsmill.

(Signed) A. J. THOMSON,
as to execution by F. W. Harcourt.

(Signed) M. E. BEARDMORE. (Seal)

(Signed) F. C. KINGSMILL. (Seal)

(Signed) W. W. BEARDMORE. (Seal)

(Signed) G. L. BEARDMORE,
By his attorney.

(Signed) W. W. BEARDMORE. (Seal)

(Signed) W. B. KINGSMILL,
on behalf of and Guardian *ad litem*
for C. O. Beardmore and E. C.
Beardmore. (Seal)

(Signed) F. W. HARCOURT,
Official Guardian and representing
infants and unborn persons.

(Seal)
Know

Know all men by these presents that I, Lieutenant George Lissant Beardmore of Toronto, being about to go abroad, hereby appoint my brother, Walter Williams Beardmore, and my sister, Frances Constance Kingsmill, or either of them, to be my attorneys or attorney in my name and on my behalf, to act in all matters and questions relating directly or indirectly to the last will and testament of my father, Walter Dowker Beardmore, or to my father's estate, or relating directly or indirectly to any right, title or interest present or prospective which I may have or claim to have under said will or otherwise in or to said estate as fully and effectually in all respects as I could do if personally present and acting in the premises, with power and authority to my attorneys and each of them to substitute and appoint from time to time an attorney or attorneys under them or either of them with the same or more limited powers and such substitute or substitutes at pleasure to remove and another or others to appoint.

And without derogating from the generality of said authority, it is declared that same shall include among other things the right to ask, demand, sue for, recover and receive all moneys which are or shall become payable to me under said will or otherwise from said estate and upon receipt thereof for me and in my name to give good and effectual releases and discharges therefor; to adjust, settle, compromise and determine all disputes, questions and differences which shall or may at any time arise between me and the executor under said will or other legal representatives of said estate or between me and any other person or persons whomsoever interested or claiming to be interested under said will or in said estate; to retain and instruct solicitors and counsel for me and on my behalf in any litigation that may arise with reference to said will or said estate; to assent on my behalf to any settlement or adjustment of any question or questions which may arise in connection with any such litigation or otherwise in connection with said will or said estate and to make, sign, seal, execute and deliver in my name and as my act and deed all such deeds, conveyances and assurances as my attorneys or attorney shall consider necessary in the premises.

It is expressly declared that this power of attorney shall not be revoked by my death but shall continue in full force and be binding upon my executors or administrators; and further that same shall not be deemed to be revoked until my attorneys shall have received reliable information of its having been revoked by me or by my executors or administrators as the case may be; and I hereby for myself, my executors and administrators, ratify and confirm and agree to ratify and confirm whatsoever my said attorneys or either of them shall lawfully do by virtue of these presents.

In witness whereof I have hereunto set my hand and seal this twenty-fourth day of June, A.D. 1915.

"LISSANT BEARDMORE."

(Seal)

Signed, sealed and delivered
in the presence of—

"D. E. THOMSON."

IN THE SUPREME COURT OF ONTARIO.

The Honourable Mr. Justice Middleton,
In Chambers.

Monday, the sixth day of December, 1915.

Between

Frances Constance Kingsmill, Plaintiff,

and

The Royal Trust Company, Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore, Everett Clement Beardmore, Evelyn Anna Beardmore, Frederick Archer; Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore, the last eight named being infants under the age of twenty-one years, Defendants.

1. Upon the application of counsel for the plaintiff and upon reading the affidavits of Nelson Henry Beener, C. C. Easterbrook, Alfred T. Hobbs, Elizabeth A. Ryder and B. V. McCrimmon filed and the exhibits therein referred to and the writ of summons and statement of claim in the presence of counsel for the defendants The Royal Trust Company, Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Evelyn Anna Beardmore, Frederick Archer and of the Official Guardian, representing the infant defendants, and upon hearing what was alleged by counsel aforesaid;

2. It is ordered that Walter B Kingsmill, one of the solicitors of this Court, be and he is hereby appointed guardian of Charles Owen Beardmore and Everett Clement Beardmore, persons of unsound mind not so found by whom they may appear and defend this action.

3. And it is further ordered that the costs of and incidental to this application be costs in the cause.

"W. E. MIDDLETON," J.

Entered

C.O.B. 65.

6/12/15.

A.B.G.C.

IN THE SUPREME COURT OF ONTARIO.

The Honourable Mr. Justice Middleton,
In Chambers.

Monday, the sixth day of December, 1915.

Between

Frances Constance Kingsmill, Plaintiff,

and

The Royal Trust Company, Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore, Everett Clement Beardmore, Evelyn Anna Beardmore, Frederick Archer; Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore, the last eight named being infants under the age of twenty-one years, Defendants.

1. Upon the application of counsel for the plaintiff upon reading the writ of summons and statement of claim in the presence of counsel for the defendants The Royal Trust Company, Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Evelyn Anna Beardmore, Frederick Archer and of the Official Guardian representing the infant defendants, and of counsel for the Guardian *ad litem* of the defendants Charles Owen Beardmore and Everett Clement Beardmore and counsel aforesaid consenting to this order;

2. It is ordered that the Official Guardian be and he is hereby appointed to represent for the purposes of this action all persons who may hereafter be born and who would be entitled to any interest in the estate of Walter Dowker Beardmore, deceased, either under his will or otherwise;

3. And it is further ordered that the costs of and incidental to this application be costs in the cause.

"CLARENCE BELL," Ass't C.C.

Entered

C.O.B. 65.

6/12/15.

A.B.G.C.

SCHEDULE "B."

IN THE SUPREME COURT OF ONTARIO.

The Honourable Mr. Justice Middleton.

Saturday, the fifth day of February, 1916.

Between

Frances Constance Kingsmill, Plaintiff,

and

The Royal Trust Company, Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Charles Owen Beardmore, Everett Clement Beardmore, Evelyn Anna Beardmore, Frederick Archer; Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore, the last eight named being infants under the age of twenty-one years, Defendants.

(Law Stamp \$2.90.)

1. Upon motion for judgment made this day unto this Court by counsel for the plaintiff in the presence of counsel for the defendants The Royal Trust Company, executor of the will of Walter Dowker Beardmore, deceased, Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Evelyn Anna Beardmore and Frederick Archer and for Walter B. Kingsmill appointed by order made herein on the 6th day of December, 1915, Guardian *ad litem* of the defendants Charles Owen Beardmore and Everett Clement Beardmore, persons of unsound mind not so found and in the presence of the Official Guardian representing the infant defendants Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore and under order made herein on the 6th day of December, 1915, representing as well all unborn persons who might be entitled to any interest in the estate of Walter Dowker Beardmore, deceased, either under his will or otherwise and counsel aforesaid consenting that such motion be turned into a trial of the action, upon hearing read the pleadings, the evidence adduced, the proposed agreement of settlement and the affidavits of F. W. Harcourt and Walter B. Kingsmill filed and counsel for Melinda Elizabeth Beardmore, George Lissant Beardmore, Walter Williams Beardmore, Walter B. Kingsmill guardian *ad litem* of the defendants Charles Owen Beardmore and Everett Clement Beardmore and the Official Guardian consenting and counsel for the Royal Trust Company, Evelyn Anna Beardmore and Frederick Archer not objecting;

2. This Court doth hereby approve of the family arrangement set out in the agreement of compromise, a copy of which is filed with this Court as a final settlement of all questions arising in this action and of all other matters covered by such agreement and doth order and adjudge the same accordingly;

3. And this Court doth further order and adjudge that Walter B. Kingsmill the guardian *ad litem* of the defendants Charles Owen Beardmore and Everett Clement Beardmore be authorized to execute such agreement on behalf of the said defendants and that the execution of such agreement by the said Walter B. Kingsmill shall be binding upon the said defendants Charles Owen Beardmore and Everett Clement Beardmore as fully and effectually as if they had not been under disability and had themselves executed the same.

4. And this Court does further order and adjudge that the Official Guardian be and he is hereby authorized to execute such agreement on behalf of the infant defendants Walter Juchereau Kingsmill, Charles Grange Kingsmill, Diana Elizabeth Constance Kingsmill, Marguerite Evelyn Beardmore, Eric Walter Beardmore, Nadine Elizabeth Grace Beardmore, Patricia Margaret Beardmore and Katherine Merry Beardmore, and on behalf of all persons born or to be born after the death of the said Walter Dowker Beardmore who might take any interest either under his will or otherwise in the estate of the said Walter Dowker Beardmore and that the execution of such agreement by the Official Guardian shall bind all such parties as fully and effectually as if they were now in existence, not under disability and had themselves executed such agreement;

5. And this Court doth further order and adjudge that upon execution of the said agreement of compromise by way of family arrangement by or on behalf of all the parties thereto the defendant The Royal Trust Company shall administer the estate of the said Walter Dowker Beardmore, deceased, in accordance with the terms of such agreement;

6. And this Court doth further order and adjudge that the costs of all parties, those of the defendant The Royal Trust Company as between solicitor and client of this action and of and incidental to the negotiation, preparation and settlement of the said family arrangement be taxed and paid by the defendants The Royal Trust Company out of the residuary estate of the said Walter Dowker Beardmore, deceased.

(Signed) GEO. S. HOLMSTED,
Registrar.

Judgment signed this 10th
day of February, 1916.
D'ARCY HINDS,
Judgment Clerk.

Ent'd 11/2/16.
J.B. 17, pp. 382-83.
A.M.

CHAPTER 117.

An Act respecting the Estate of David Rowntree, deceased.

Assented to 27th April, 1916.

WHEREAS David Rowntree, William Rowntree and Joseph H. Rowntree, of the Village of Weston and of the City of Toronto respectively, have by their petition set forth that they are executors and trustees of the will of David Rowntree, deceased; that the said David Rowntree by paragraph 14 of his said will provided that the plot of ground, part of his estate, consisting of about one-quarter of an acre, used as a burying ground, should not be sold but kept and used as a family burying ground forever; that the said private burying ground has not been used for years for the purposes of burial; that all the relatives of the said David Rowntree, deceased, buried therein have been removed by the said petitioners; that there are still buried therein a number of strangers permitted to be buried therein by the said David Rowntree, deceased; that it is not desirable that such burying ground should be maintained, and that they are desirous of obtaining authority to remove any bodies still known to be buried therein, and any monuments from the said burying ground and to have the same discharged from the provisions of the said will concerning the same, and to be given power and authority to sell and convey the said cemetery property; also that the said David Rowntree by his said will provided that his farm property should be sold in certain parcels; that it is or may be undesirable and impracticable to sell the said farm property in parcels as directed by the said will; that it is desirable that the executors and trustees for the time being of said will should have power to subdivide and sell the said property in such parcels, other than as directed by the said will, as the said executors and trustees shall deem best; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Publication
of notice as
to removal
of bodies.

1. That the said executors and trustees shall once a week for five consecutive weeks publish a notice in *The Ontario Gazette* and in one newspaper published in the City of Toronto to the friends or relatives of the dead interred in the said burying ground notifying them to remove the bodies therefrom within six months from the first publication of said notice.

Removal
of bodies.

2. Upon and after the expiration of the said six months the said executors and trustees and their successors are hereby authorized and empowered to remove in a decent and orderly manner from the said burying ground to some other established cemetery the remains of any bodies that may not have been removed by friends or relatives, and to inter them there in corresponding plots as nearly as may be, re-erecting any monuments that may mark the place of burial of the said remains.

Sale of
burying
ground.

3. The executors and trustees for the time being of the said will of the said David Rowntree, deceased, upon the removal by them from said private cemetery, in accordance with the provisions of the preceding sections of this Act, of all bodies known by them to be buried therein, as well as all monuments erected therein, are hereby authorized and empowered to sell and dispose of the said property comprising said private cemetery by public auction or private sale, and for such a price or prices and upon such terms as they shall deem best.

Title to
burying
ground.

4. Upon the compliance with the provisions of the preceding sections of this Act, the executors and trustees for the time being of the said will and any purchaser of the said cemetery property from them shall hold the same in fee simple freed and discharged from all the provisions of the will of the said David Rowntree concerning the same.

Trusts
upon which
proceeds
to be held.

5. Upon the sale of the said cemetery property the executors and trustees of the said will shall hold the proceeds thereof upon the trusts of the will of the said David Rowntree, deceased.

Method
of sale
of farm
property.

6. The executors and trustees for the time being of the said will of the said David Rowntree, deceased, are hereby notwithstanding the provisions of the said will authorized and empowered from time to time to sell and dispose of the farm property mentioned in the said will and being part of lot thirty-five in the third concession from the Bay in the Township and County of York, in one or more parcels or lots and of such size or of such different and various sizes or dimen-

sions

sions as they shall deem best and other than as directed by the said will, and to lay out a street or streets thereon and dedicate the same to the public, and to subdivide the whole or any part or parts thereof into building lots or parcels of the same or different and various dimensions, and to register a plan or plans of such subdivision or subdivisions.

CHAPTER 118.

An Act to authorize the Law Society of Upper Canada to admit Charles Bagot Labatt as a Barrister.

Assented to 27th April, 1916.

Preamble.

WHEREAS Charles Bagot Labatt, of the City of Toronto, in the Province of Ontario, has by his petition set forth that he is a graduate in Arts of Trinity College, Cambridge; that he was admitted to the Bar of California in 1892, but did not, by reason of such admission, relinquish his status as a British subject; that he became a member of the Law Society of Upper Canada in 1898, with the intention of acquiring the qualifications of a Barrister and Solicitor in the Province of Ontario, but was unable to carry out that intention owing to his time being fully occupied in the preparation of legal publications; and whereas the said Charles Bagot Labatt has prayed that an Act may be passed to authorize the Law Society of Upper Canada to admit him to practise as a Barrister in His Majesty's Courts in the Province of Ontario; and whereas no opposition has been offered by the Law Society of Upper Canada to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

C. B. Labatt
authorized
to practise
as barrister.

1. It shall and may be lawful for the Law Society of Upper Canada, at any time hereafter, to admit the said Charles Bagot Labatt to practise at the Bar of His Majesty's Courts in Ontario, on his paying the proper fees in that behalf, and without complying with any other requirements of the law or any other rules or regulations of the said Society in that behalf.

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6 George V., 1916

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